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HANSARD'S

PARLIAMENTARY DEBATES,

THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

34° VICTORIÆ, 1871.

VOL. CCIV.

COMPRISING THE PERIOD FROM

THE NINTH DAY OF FEBRUARY 1871,

TO

THE FOURTEENTH DAY OF MARCH 1871.

First Volume of the Session.

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To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the Financial and General Administration of the affairs of India,"—(*Mr. Fawcett,*)—instead thereof .. 381

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment, by leave, *withdrawn.*

Question again proposed, "That Mr. Speaker do now leave the Chair:"—

France and Germany—Terms of Peace—Resolution—

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that it is the duty of Her Majesty's Government to act in concert with other neutral Powers to obtain moderate terms of peace, and to withhold all acquiescence in terms which might impair the independence of France, or threaten the future tranquillity of Europe,"—(*Mr. Auberon Herbert,*)—instead thereof 387

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment, by leave, *withdrawn.*

Navy—The Admiralty—Observations, Lord Henry Lennox; Reply, Mr. Gladstone:—Debate thereon 455

Original Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

Stamp Act (1870) Amendment Bill—*Ordered* (*Mr. Stansfeld, Mr. Chancellor of the Exchequer*) 476

Fires Bill—*Ordered* (*Mr. M'Lagan, Mr. Agar-Ellis, Mr. Charles Turner*); *presented*, and read the first time [Bill 44] 476

LORDS, MONDAY, FEBRUARY 20.

West African Settlements Bill (No. 1)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Kimberley*) .. 476

Motion *agreed to*:—Bill read 2ª, and *committed* to a Committee of the Whole House *To-morrow.*

Benefices Resignation Bill (No. 7)—

Moved, "That the Bill be now read 2ª,"—(*The Bishop of Winchester*) .. 477

Amendment *moved* to leave out ("now") and insert ("this day six months,")—(*The Lord Romilly.*)

After short debate, on Question, That ("now") stand part of the Motion? *resolved* in the *affirmative*:—Bill read 2ª accordingly.

COMMONS, MONDAY, FEBRUARY 20.

Caracas—British Claims—Question, Mr. Eastwick; Answer, Viscount Enfield 489

Metropolis—Local Government—Question, Mr. Buxton; Answer, Mr. Bruce 490

Ireland—Royal Residence—Question, Mr. Stacpoole; Answer, Mr. Gladstone 490

Scotland—Road Reform—Question, Sir David Wedderburn; Answer, The Lord Advocate 491

Army—Volunteer Uniforms—Question, Mr. Harvey Lewis; Answer, Mr. Cardwell 491

Medical Acts—Question, Dr. Lush; Answer, Mr. W. E. Forster .. 491

Army — Military Districts — Question, Mr. Eastwick; Answer, Mr. Cardwell 492

Metropolitan Board of Works—Question, Mr. Locke; Answer, Mr. Bruce 492

Army—Abolition of Purchase—Question, Lord Eustace Cecil; Answer, Mr. Cardwell 493

Education Bill (Scotland)—Question, Dr. Lyon Playfair; Answer, The Lord Advocate 494

Prison Ministers—Question, Mr. Maguire; Answer, Mr. Bruce .. 494

Treaty of Paris (1856)—Despatch of Sir A. Buchanan—Question, Lord John Manners; Answer, Mr. Gladstone 494

Army—Military Labour—Question, Mr. Hanbury-Tracy; Answer, Mr. Cardwell 495

Scotland—Titles to Land—Question, Mr. Gordon; Answer, The Lord Advocate 495

Army Organization Bill—Question, Sir John Pakington; Answer, Mr. Cardwell 496

Army Organization Bill—Abolition of Purchase—Questions, Mr. Guest, Mr. Bristowe; Answers, Mr. Cardwell 497

The Anglo-American Commission — Question, Mr. Macfie; Answer, Mr. Gladstone 497

Treaty of Paris (1856)—Neutralization of the Black Sea—Observation, Sir Henry Lytton Bulwer; Reply, Viscount Enfield .. 498

Duchy of Lancaster—Personal Explanation (*Sir Robert Peel*) .. 498

University Tests Bill [Bill 6]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Gladstone*) 499

After short debate, Bill *considered* in Committee.

After long time spent therein, Bill *reported,* without Amendment; to be read the third time upon *Thursday.*

Elections (Parliamentary and Municipal) Bill—

Motion for Leave (*Mr. W. E. Forster*) 529

After debate, Motion *agreed to:*—Bill to amend the Laws relating to procedure at Parliamentary and Municipal Elections, and for other purposes connected therewith, *ordered* (*Mr. William Edward Forster, Mr. Secretary Bruce, The Marquess of Hartington*); *presented,* and read the first time [Bill 45.]

LORDS, TUESDAY, FEBRUARY 21.

Private Bills—

Ordered, That this House will not receive any petition for a Private Bill after *Monday* the 20*th of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any petition for a Private Bill approved by the Court of Chancery after *Monday* the 8*th of May* next:

Ordered, That this House will not receive any report from the judges upon petitions presented to this House for Private Bills after *Monday* the 8*th of May* next:

Ordered, That the said Orders be *printed* and published, and affixed on the doors of this House and Westminster Hall (No. 23) 557

Ecclesiastical Dilapidations Bill (No. 2)—

Moved, "That the Bill be now read 2^{a},"—(*The Lord Archbishop of York*) 557

After short debate, on Question? *agreed to:*—Bill read 2^{a} accordingly.

Juries Act (1870) Amendment Bill (No. 21)—

Moved, "That the Bill be now read 2^{a},"—(*The Lord Chancellor*) .. 561

Motion *agreed to:*—Bill read 2^{a} accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

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OCCUPATION OF ROME BY THE SOVEREIGN PONTIFF—ADDRESS FOR A PAPER—

Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased to direct that there be laid before the House, Copy of a Despatch addressed by the Secretary of State for the Colonies, dated 16th January 1871, to the Governor of Gibraltar, on the subject of the Occupation of Rome by the Sovereign Pontiff,"—(*The Lord Oranmore and Browne*) 562

After short debate, Motion *agreed to.*

FRANCE AND GERMANY — THE SIEGE OF PARIS — ABSENCE OF THE ENGLISH CONSUL—Question, Observations, The Earl of Malmesbury; Reply, Earl Granville 573

COMMONS, TUESDAY, FEBRUARY 21.

ANGLO-AMERICAN COMMISSION — Questions, Mr. Rathbone, Mr. Muntz; Answers, Mr. Gladstone, Viscount Enfield 582

IRELAND—TRAMWAYS—Question, Mr. Synan; Answer, The Marquess of Hartington 583

RATING OF MINES—Question, Mr. Percy Wyndham; Answer, Mr. Goschen 583

ARMY — WAGES OF SOLDIERS — Question, Mr. Dickinson; Answer, Mr. Cardwell 583

PRISON LABOUR—Question, Colonel Beresford; Answer, Mr. Bruce .. 584

SCOTLAND — GAME LAWS—Question, Mr. Fordyce; Answer, The Lord Advocate 585

FRANCE AND GERMANY—THE SIEGE OF PARIS—ABSENCE OF THE ENGLISH CONSUL—Question, Sir Robert Peel; Answer, Mr. Gladstone .. 585

METROPOLIS—CAB FARES—Question, Mr. Bowring; Answer, Mr. Bruce .. 586

IRELAND — QUALIFICATION FOR HIGH SHERIFFS — Question, Mr. Monk; Answer, The Solicitor General for Ireland 587

RELIGIOUS RESTRICTIONS ON JEWISH LABOUR—Question, Mr. Jacob Bright; Answer, Mr. Bruce 588

PATRONAGE OF THE POST OFFICE—PENSIONERS AND ARMY RESERVE—Question, Mr. Hanbury-Tracy; Answer, Mr. Monsell 588

GRIEVANCES OF CUSTOM HOUSE OFFICERS—Question, Mr. Graves; Answer, Mr. Stansfeld 589

ELECTIONS BILL—Question, Mr. Disraeli; Answer, Mr. W. E. Forster .. 589

Moved, "That the House, at rising, do adjourn till *To-morrow* at Two o'clock,"—(*Mr. Gladstone.*)

Motion *agreed to.*

ARMY ADMINISTRATION—RESOLUTION—

Moved, "That, in the opinion of this House, no scheme for Military reorganization can be regarded as complete which does not alter the tenure of the Command in Chief in such a manner as to enable the Secretary of State for War to avail himself freely of the best administrative talent and the most recent military experience from time to time existing in the British Army,"—(*Mr. Trevelyan*) 590

After long debate, Question put:—The House *divided;* Ayes 83, Noes 201; Majority 118.

THE POPE—LETTER OF MR. GLADSTONE—MOTION FOR PAPERS—

Moved, "That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copies of the Letter from the Right honourable the First Lord of the Treasury to the honourable Member for Queen's County, dated the 30th day of November 1870, in which reference is made to 'the Sovereign Pontiff;' and it is declared that 'Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope, and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice:'

Of the Correspondence between the First Lord of the Treasury and the honourable Members for Perth and Marylebone, on the same subject:

THE POPE—LETTER OF MR. GLADSTONE—MOTION FOR PAPERS—continued.

Of Despatches of the Foreign Secretary to Foreign Governments, and of the Colonial Secretary to the Governors of Malta and Gibraltar, on the same subject:

And, of all Despatches from the British Diplomatic Agent resident in Rome since the 1st day of August 1870,"—(*Mr. William Johnston*) 646

After debate, Motion, by leave, *withdrawn*.

Moved, "That there be laid before this House, a Copy of the Letter from the Right honourable the First Lord of the Treasury to the honourable Member for Queen's County, dated the 30th day of November 1870, in which reference is made to 'the Sovereign Pontiff;' and it is declared that 'Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope, and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice.'"—(*Mr. William Johnston.*)

After further short debate, Question put:—The House *divided*; Ayes 90, Noes 153; Majority 63.

IRELAND — HIGH SHERIFFS OF WESTMEATH AND LOUTH—MOTION FOR PAPERS—

Moved, "That there be laid before this House, a Copy of the Correspondence that has taken place between the gentlemen nominated to be High Sheriffs for the counties of Westmeath and Louth and Her Majesty's Government,"—(*Mr. Monk*) 658

After short debate, Motion, by leave, *withdrawn*.

PAWNBROKERS—

Select Committee *appointed*, "to inquire into the state of the Law affecting the Pawnbroking Trades, with a view to its consolidation and Amendment:"—List of the Committee 661

PUBLIC ACCOUNTS—Committee *nominated*:—List of the Committee .. 661

LAW OF RATING (IRELAND)—

Moved, "That a Select Committee be appointed to inquire into the operation of the Law relating to the area of Rating in Ireland, and to consider whether such area may be beneficially extended,"—(*The Marquess of Hartington*) 662

Motion, by leave, *withdrawn*.

Select Committee *appointed*, "to inquire into the operation of the Law relating to the area of Rating in Ireland, and to consider whether such Law may be beneficially amended,"—(*The Marquess of Hartington.*)

Game Laws Abolition Bill—*Ordered* (*Mr. Taylor, Mr. Dickinson, Mr. Jacob Bright, Mr. M'Combie*) 661

Trial by Jury (Ireland) Bill—*Ordered* (*Mr. Lambert, Mr. M'Lagan, Mr. M'Combie*); *presented*, and read the first time [Bill 47] 661

Sale of Liquor on Sunday Bill—*Ordered* (*Mr. Rylands, Mr. Candlish, Mr. Birley, Mr. Osborne Morgan*); *presented*, and read the first time [Bill 48] 661

Infant Life Protection Bill—*Ordered* (*Mr. Charley, Dr. Brewer, Dr. Lyon Playfair*); *presented*, and read the first time [Bill 49] 661

Bank Holidays Bill—*Ordered* (*Sir John Lubbock, Sir David Salomons, Mr. Barnett, Mr. Rathbone*); *presented*, and read the first time [Bill 50] 661

COMMONS, WEDNESDAY, FEBRUARY 22.

Merchant Shipping Survey Bill [Bill 3]—

Moved, "That the Bill be now read a second time,"—(*Mr. Plimsoll*) .. 662

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Eustace Smith.*)

Question proposed, "That the word 'now' stand part of the Question:"—After debate, Amendment and Motion, by leave, *withdrawn*:—Bill *withdrawn*.

STEAM BOILER EXPLOSIONS—Select Committee *appointed*, "to inquire into the cause of Steam Boiler Explosions:"—List of the Committee .. 692

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Church Rates Abolition (Scotland) Bill—*Ordered* (*Mr. M'Laren, Mr. Graham, Mr. Craufurd, Mr. Carnegie*) ; *presented*, and read the first time [Bill 52] .. 692

Lodgers' Goods Protection Bill—*Ordered* (*Mr. H. B. Sheridan, Mr. Holms, Mr. Brogden, Mr. W. M. Torrens*) ; *presented*, and read the first time [Bill 54] .. 692

Parish Churches Bill—*Ordered* (*Mr. West, Sir Percy Herbert, Mr. Hughes*) ; *presented*, and read the first time [Bill 53] 692

LORDS, THURSDAY, FEBRUARY 23.

DEFENCE COMMISSION — NATIONAL DEFENCES — ADDRESS FOR RETURNS—

Moved, " That an humble Address be presented to Her Majesty for, Returns of the number of places which it was recommended by the Defence Commission, 1859, should be fortified, and of which the fortifications are now complete : the number of tents and tent equipages now in store, exclusive of officers and hospital tents : the amount of barrack accommodation in England and Scotland, specified according to districts and counties : the barracks and barrack grounds sold or disposed of within the last two years,"—(*The Earl of Carnarvon*) 692

After long debate, Motion, as amended, *agreed to.*

" That an humble Address be presented to Her Majesty for,

List of the works recommended by the Defence Commission of 1859, with a statement of the present condition of the works authorized to be constructed, specifying whether they are or are not complete :

The number of tents and tent equipages now in store, exclusive of officers and hospital tents :

The amount of barrack accommodation in England and Scotland, specified according to districts and counties :

The barracks and barrack grounds sold or disposed of within the last two years,"—(*The Earl of Carnarvon.*)

COMMONS, THURSDAY, FEBRUARY 23.

IRELAND — NATIONAL SCHOOLS — Questions, Mr. Raikes, Mr. Maguire ; Answers, The Marquess of Hartington 746

ARMY—COMMISSIONS TO PASSED CANDIDATES—Question, Mr. Stephen Cave ; Answer, Mr. Cardwell 747

TREATY OF PARIS (1856)—DESPATCH OF SIR A. BUCHANAN—Question, Mr. W. C. Cartwright ; Answer, Viscount Enfield 748

ADULTERATION OF WINES—Question, Sir James Lawrence ; Answer, The Chancellor of the Exchequer 748

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ARMY—CENTRAL ARSENAL—UNIFORM OF VOLUNTEERS—Question, Captain Dawson-Damer ; Answer, Mr. Cardwell 750

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EDUCATION (SCOTLAND) BILL—Question, Mr. Gordon; Answer, Mr. Bruce 762

ORDERS OF THE DAY—*Ordered*, That the Orders of the Day be postponed till after the Notice of Motion relative to East India Finance,—(*Mr. Gladstone.*)

EAST INDIA FINANCE—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be *appointed*, "to inquire into the Finance and Financial Administration of India,"—(*Mr. Gladstone*) 763

After short debate, Motion *agreed to*:—And, on March 9, Committee *nominated*:—List of the Committee 777

University Tests Bill [Bill 6]—

Moved, "That the Bill be now read the third time,"—(*Mr. Gladstone*) .. 777

After short debate, Motion *agreed to*:—Bill read the third time, and *passed*.

Ecclesiastical Titles Act Repeal Bill [Bill 27]—

Moved, "That the Bill be now read a second time,"—(*Mr. Attorney General*) 780

Amendment proposed, to leave out the word "now" and at the end of the Question to add the words "upon this day six months," —(*Mr. Charley.*)

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 137, Noes 51; Majority 86: —Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Mines Regulation Bill [Bill 16]—

Moved, "That the Bill be now read a second time,"—(*Mr. Secretary Bruce*) 808

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday* 16th March.

Inclosure Law Amendment Bill [Bill 32]—

Moved, "That the Bill be now read a second time,"—(*Mr. Shaw Lefevre*) 819

After short debate, Debate *adjourned* till *Monday* next.

DIPLOMATIC AND CONSULAR SERVICES—

Select Committee *appointed*, "to inquire into the constitution of the Diplomatic and Consular Services and their maintenance on the efficient footing required by the political and commercial interests of the country,"—(*Mr. Bouverie.*)

And, on February 27, Committee *nominated*:—List of the Committee .. 827

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Endowed Schools Act (1869) Amendment Bill—*Ordered* (*Sir John Lubbock, Lord Edmond Fitzmaurice, Mr. Thomas Hughes, Mr. Rathbone*); *presented*, and read the first time [Bill 55] 827

Steam Boilers Inspection Bill—*Ordered* (*Mr. H. B. Sheridan, Mr. Gourley*); *presented*, and read the first time [Bill 56] 827

LORDS, FRIDAY, FEBRUARY 24.

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD—Select Committee *appointed*:—List of the Committee 828

PRIVATE BILLS—Standing Order Committee *appointed*:—List of the Committee 828

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ARMY—PROMOTION OF COLONELS—Question, Sir Henry Hoare; Answer, Mr. Cardwell 830

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ALLEGED CONGRATULATORY MESSAGES TO THE CROWN PRINCE OF GERMANY —Question, Sir Henry Hoare; Answer, Viscount Enfield .. 833

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

CEYLON—ADAM'S BRIDGE—Observations, Sir James Elphinstone; Reply, Mr. Grant Duff:—Short debate thereon 834

TREATY OF PARIS (1856)—DECLARATION OF MR. ODO RUSSELL—Question, Observations, Mr. Disraeli; Reply, Mr. Gladstone 839

ALLEGED CONGRATULATORY MESSAGES TO THE CROWN PRINCE OF GERMANY—Question, Sir Henry Hoare; Answer, Mr. Gladstone 866

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—*considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

EAST INDIA REVENUE ACCOUNTS—RESOLUTION—

Considered in Committee 868

Moved, "That it appears by the Accounts laid before this House that the total Revenue of India for the year ending the 31st day of March 1870 was £50,901,081; the total of the direct claims upon the Revenue, including charges of collection and cost of Salt and Opium, was £9,230,823; the charges in India, including Interest on Debt, and Public Works ordinary, were £32,293,859; the value of Stores supplied from England was £1,379,052; the charges in England were £6,331,614; the Guaranteed Interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,547,064, making a total charge for the same year of £50,782,412; and there was an excess of Income over Expenditure in that year amounting to £118,669; that the charge for Public Works extraordinary was £2,599,614, and that including that charge the excess of Expenditure over Income was £2,480,945,"—(*Mr. Grant Duff.*)

After long debate, Motion *agreed to*:—Resolution to be reported upon *Monday* next.

LORDS, MONDAY, FEBRUARY 27.

Pauper Inmates Discharge and Regulation Bill (No. 16)—
Moved, "That the Bill be now read 2ª,"—(*The Earl of Kimberley*) .. 920
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.
Duchy of Lancaster—Receipts and Expenditure, 1870—Question, The Earl of Harrowby; Answer, Lord Dufferin 927
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Education (Scotland) Bill [Bill 17]—
Moved, "That the Bill be now read the second time,"—(*The Lord Advocate*) 946
After long debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* 20th March.
Westmeath, &c. Unlawful Combinations — Motion for a Select Committee—
Moved, "That a Select Committee be appointed to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same,"—(*The Marquess of Hartington*) 989
Previous Question proposed, "That that Question be now put,"—(*Mr. Serjeant Sherlock*:)—After debate, Debate *adjourned* till *To-morrow.*

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Local Taxation—Resolution—

Moved, "That inasmuch as many of the existing and contemplated charges on the Local Rates are for National purposes, and that it is neither just nor politic that such charges should be levied exclusively from one description of property (viz. houses and land), this House is of opinion that it is the duty of the Government to inquire forthwith into the incidence of Imperial as well as Local Taxation, and take such steps as shall ensure that every description of property shall equitably contribute to all National burdens,"—(*Sir Massey Lopes*) 1037

Previous Question proposed, "That that Question be now put,"—(*Mr. Goschen:*)—After long debate, Question put:—The House *divided;* Ayes 195, Noes 241; Majority 46.

Parliament—Business of the House—

Moved, "That the Select Committee on the Business of the House do consist of Twenty-one Members,"—(*Mr. Gladstone*) 1110

Moved, "That the Debate be now adjourned,"—(*Mr. James Lowther,*)—put, and *negatived:*—Original Question put, and *agreed to.*

After short debate, Committee *nominated:*—List of the Committee .. 1112

Landed Property (Ireland) Act (1847) Amendment Bill—*Ordered* (*Mr. Serjeant Sherlock, Mr. M'Mahon, Mr. Maguire*); *presented,* and read the first time [Bill 59] .. 1113

Workshop Regulation Act (1867) Amendment Bill—*Ordered* (*Sir David Salomons, Sir Thomas Bazley, Mr. Russell Gurney, Mr. John Talbot*); *presented,* and read the first time [Bill 58] 1113

Fairs Bill—*Ordered* (*Viscount Bury, Mr. Eykyn, Mr. Clare Read*); *presented,* and read the first time [Bill 60] 1113

COMMONS, WEDNESDAY, MARCH 1.

Citation Amendment (Scotland) Bill [Bill 1]—

Moved, "That the Bill be now read the second time,"—(*Mr. Anderson*) 1113

After short debate, Motion *agreed to:*—Bill read a second time, and *committed* for *Tuesday* 28th March.

Burials Bill [Bill 7]—

Moved, "That the Bill be now read the second time,"—(*Mr. Osborne Morgan*) 1116

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Colonel Barttelot.*)

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 211, Noes 149; Majority 62:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 7th June.

Division List, Ayes and Noes 1151

Registration of Deeds, Wills, &c. (Middlesex) Bill [Bill 36]—

Moved, "That the Bill be now read the second time,"—(*Mr. G. B. Gregory*) 1154

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday* 28th June.

LORDS, THURSDAY, MARCH 2.

Pauper Inmates Discharge and Regulation Bill (No. 16)—

House in Committee (according to Order) 1158

After short time spent therein, Bill *reported*, without Amendment; and to be read 3^a on *Tuesday* next.

East India Finance—Question, Lord Lyveden; Answer, The Duke of Argyll 1160

Dulwich College—Commissioners of Endowed Schools—Question, The Earl of Harrowby; Answer, Lord Lyttelton 1163

COMMONS, THURSDAY, MARCH 2.

Army (System of Retirement)—Question, Colonel Barttelot; Answer, Mr. Cardwell 1164

Army—Bronze Field Guns—Question, Mr. Osborne; Answer, Sir Henry Storks 1165

Army Education—Sons of Militia Officers—Question, Lord Claud Hamilton; Answer, Mr. Cardwell 1165

Army—Volunteers in the Militia—Question, Mr. Simonds; Answer, Mr. Cardwell 1166

Ireland—Fisheries—Question, Mr. M'Carthy Downing; Answer, The Marquess of Hartington 1166

Education—Building Grants to Schools—Question, Mr. Hick; Answer, Mr. W. E. Forster 1166

Education—Elementary Schools—Question, Lord Robert Montagu; Answer, Mr. W. E. Forster 1167

China—Destruction of Consular Buildings at Shanghai—Question, Colonel Sykes; Answer, Viscount Enfield 1168

Post Office—Telegraph Guide—Question, Mr. Brogden; Answer, Mr. Monsell 1169

Licensing Bill—Question, Mr. Assheton Cross; Answer, Mr. Bruce .. 1169

Stamp Duties—Magistrates' Orders—Question, Mr. Corrance; Answer, Mr. Bruce 1170

Westmeath, &c. Unlawful Combinations—Motion for a Select Committee—

Order read, for resuming Adjourned Debate on Question [27th February], "That the Question then proposed,

'That a Select Committee be appointed to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same,'—(*The Marquess of Hartington,*)

—be now put:"—*Previous Question* again proposed, "That that Question be now put,"—(*Mr. Serjeant Sherlock*:)—Debate *resumed* .. 1170

WESTMEATH, &c. UNLAWFUL COMBINATIONS—MOTION FOR A SELECT COMMITTEE—*continued.*

After long debate, *Moved,* "That the Debate be now adjourned,"—(*Mr. Maguire*:)—The House *divided;* Ayes 178, Noes 297; Majority 119.

Previous Question again proposed:—*Moved,* "That this House do now adjourn,"—(*Mr. Matthews*:)—After short debate, Motion, by leave, *withdrawn.*

Previous Question put, "That that Question be now put:"—The House *divided;* Ayes 398, Noes 26; Majority 372.

Main Question put:—The House *divided;* Ayes 256, Noes 175; Majority 81.

Select Committee *appointed,* "to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same,"—(*Mr. Gladstone.*)

Division List, Ayes and Noes 1260

Ecclesiastical Titles Act Repeal Bill [Bill 27]—

Order for Committee read, and *discharged* 1264

Moved, "That the Bill be committed to a Select Committee,"—(*The Attorney General*:)—Debate *adjourned* till *To-morrow.*

Petit Juries (Ireland) Bill—*Ordered* (*Mr. O'Reilly, Sir John Gray, Mr. Murphy*); *presented,* and read the first time [Bill 61] 1264

Local Government Supplemental Bill—*Ordered* (*Mr. Shaw Lefevre, Mr. Secretary Bruce*); *presented,* and read the first time [Bill 63] 1264

Metropolitan Commons Supplemental Bill—*Ordered* (*Mr. Shaw Lefevre, Mr. Secretary Bruce*); *presented,* and read the first time [Bill 62] 1264

LORDS, FRIDAY, MARCH 3.

TABLE OF LESSONS—THE RITUAL COMMISSION—Question, Earl Stanhope; Answer, The Lord Chancellor:—Short debate thereon 1265

Prayer Book (Tables of Lessons) Bill [H.L.]—*Presented* (*The Lord Chancellor*); read 1ª (No. 29) 1269

COMMONS, FRIDAY, MARCH 3.

INDIA—BONUS COMPENSATION COMMITTEES—Question, Colonel Sykes; Answer, Mr. Grant Duff 1269

EDUCATION—GRANTS TO SCHOOL MANAGERS—Question, Mr. R. Bright; Answer, Mr. W. E. Forster 1270

ARMY—OFFICERS OF THE MILITARY TRAIN—Question, Mr. A. Smith; Answer, Mr. Cardwell 1270

SCOTLAND—DEFENCE OF THE FIRTH OF FORTH—Question, Sir Robert Anstruther; Answer, Mr. Cardwell 1271

STAFF OF THE POST OFFICE—Question, Mr. Haviland-Burke; Answer, Mr. Monsell 1271

INDIA—COLLEGE FOR ENGINEERS—Question, Mr. Dickinson; Answer, Mr. Grant Duff 1272

ARMY—RETIRING ALLOWANCES—Question, Viscount Bury; Answer, Mr. Cardwell 1272

ARMY—STAMP DUTIES ON COMMISSIONS—Question, Sir John Hay; Answer, Mr. Cardwell 1273

EDUCATION—NEW (REVISED) CODE—Question, Mr. C. Dalrymple; Answer, Mr. W. E. Forster 1273

ARMY—APPOINTMENTS TO FIRST COMMISSIONS—Question, Lord Eustace Cecil; Answer, Mr. Cardwell 1274

ARMY—VOLUNTEERS—Question, Mr. Hambro; Answer, Mr. Cardwell .. 1274

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Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

South Africa—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that Her Majesty's Government should take steps to ascertain to what extent the Confederation of the British Possessions in South Africa and of the adjacent territories is practicable,"—(*Mr. Robert Fowler,*)—instead thereof 1275

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

France and Germany—The Siege of Paris—Absence of the English Consul—Observations, Sir Robert Peel; Reply, Mr. Gladstone:—Debate thereon 1296

India—Civil Engineers—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, young men qualified by character and attainments for admission into the service of the Government of India as Civil Engineers, ought not to be excluded from such service by reason of their not having been educated at a Government College,"—(*Sir Francis Goldsmid,*)—instead thereof .. 1326

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Question put:—The House *divided;* Ayes 46, Noes 52; Majority 6:—Words *added:*—Main Question, as amended, put, and *agreed to.*

Ecclesiastical Titles Act Repeal Bill [Bill 27]—

Order read, for resuming Adjourned Debate on Question [2nd March], "That the Bill be committed to a Select Committee:"—Question again proposed:—Debate *resumed* 1355

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of any Law or Laws as to the assumption of Ecclesiastical Titles in Great Britain and Ireland, and whether any and what alteration should be made therein,"—(*Mr. Newdegate,*)—instead thereof.

After short debate, Question put, "That the words proposed to be left out stand part of the Question:"—The House *divided;* Ayes 73, Noes 10; Majority 63:—Main Question put, and *agreed to:*—Bill *committed* to a Select Committee

Business of the House—

Moved, "That the Select Committee on the Business of the House do consist of 23 Members. That Mr. Collins and Mr. White be added to the Committee,"—(*Mr. J. Lowther:*)—Motion *agreed to* .. 1359

LORDS, MONDAY, MARCH 6.

Our National Engagements and Armaments—Motion for Papers—

Moved, "That the collection of Guarantees published in 1859 should be *reprinted,* with the addition of any that have been contracted since that time,"—(*The Marquess of Salisbury*) 1360

After debate, Motion *agreed to.* (No. 33.)

Justices Procedure (England) Bill [H.L.]—*Presented* (*The Lord Cairns*); read 1ª (No. 31) 1381

COMMONS, MONDAY, MARCH 6.

State of Ireland—Westmeath, &c.—Observations, Mr. Gladstone .. 1381

Scotland—Mail Trains—Question, Mr. Carnegie; Answer, Mr. Monsell 1382

Small Pox at Great Grimsby—Question, Mr. Cadogan; Answer, Mr. Bruce 1382

The International Exhibition of 1871—Question, Mr. Neville-Grenville; Answer, The Chancellor of the Exchequer 1383

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NAVY—WORKS AT CHATHAM DOCKYARD—Question, Mr. Cawley; Answer, Mr. Baxter 1384
NAVY—NAVAL RESERVE (SECOND CLASS)—Question, Admiral Erskine; Answer, Mr. Baxter 1384
ARMY—MARRIED SUBALTERNS—Question, Lord Garlies; Answer, Mr. Cardwell 1385
ARMY RESERVE FUND—GUARDS RESERVE FUND—Question, Mr. Stapleton; Answer, Mr. Cardwell 1385
FOREIGNERS SERVING IN OUR MERCHANT SERVICE—Question, Sir John Hay; Answer, Mr. Chichester Fortescue 1385
THE NEW PUBLIC OFFICES—Questions, Lord John Manners; Answer, Mr. Ayrton 1386
ITALY—THE PAPAL STATES—Question, Mr. W. Johnston; Answer, Mr. O'Reilly 1386
TRADE MARKS—Question, Mr. P. A. Taylor; Answer, Mr. Chichester Fortescue 1387
ARMY—FLEETWOOD BARRACKS—Question, Mr. Eastwick; Answer, Mr. Cardwell 1388
THE HOUSE TAX AND LANDLORDS' INCOME TAX—Question, Mr. Alderman Lusk; Answer, The Chancellor of the Exchequer 1388
ARMY—LEAVE OF ABSENCE TO OFFICERS—Question, Mr. Lea; Answer, Mr. Cardwell 1388
IRELAND—STATE OF WESTMEATH—Questions, Lord Claud John Hamilton; Answer, Mr. Gladstone 1389
NAVY—THE "MEGÆRA"—Question, Mr. Kavanagh; Answer, Mr. Baxter 1391
CLERKS OF CONVICT PRISONS—Question, Colonel Gilpin; Answer, Mr. Stansfeld 1393
EDUCATION—NATIONAL SCHOOL ENDOWMENTS—Question, Mr. Corrance; Answer, Mr. W. E. Forster 1393
MUSIC HALLS—Question, Mr. Osborne; Answer, Mr. Bruce .. 1393
ARMY—DOUBLE COMMISSIONS—Question, Mr. Dent; Answer, Mr. Cardwell 1394
EMIGRATION—THE CIRCULAR DESPATCH—Question, Mr. Macfie; Answer, Mr. Knatchbull-Hugessen 1394
EDUCATION—ARTICLE 19—SCHOOL ATTENDANCES—Questions, Mr. Assheton Cross, Mr. Gathorne Hardy; Answers, Mr. W. E. Forster .. 1394
IRELAND—GRAND JURY OF WESTMEATH—Question, Lord John Manners; Answer, Mr. Gladstone 1395
METROPOLIS—CAB FARES—Question, Mr. Eykyn; Answer, Mr. Bruce .. 1396

Army Regulation Bill [Bill 39]—

Moved, "That the Bill be now read the second time,"—(*Mr. Cardwell*) .. 1397

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army,"—(*Colonel Loyd Lindsay,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, *Moved,* "That the Debate be now adjourned,"—(*Lord Elcho:*)—Debate *adjourned* till *Thursday.*

EAST INDIA REVENUE ACCOUNTS—

Order read, for resuming Adjourned Debate on Question [28th February], "That this House doth agree with the Committee [on East India Revenue Accounts] in the Resolution which upon that day was reported from the said Committee:"—Question again proposed, "That this House doth agree with the Committee in the said Resolution:"—Debate *resumed* 1477

After short debate, Question put, and *agreed to.*

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Income Tax Assessment Bill—*Ordered* (*Mr. Stansfeld, Mr. Chancellor of the Exchequer*); *presented*, and read the first time [Bill 64] 1482

WESTMEATH, &c. UNLAWFUL COMBINATIONS—

Order [2nd March] for appointment of the Select Committee on Westmeath, &c. Unlawful Combinations read, and *discharged*.

Select Committee *appointed*, "to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, and the nature, extent, and effect of a certain unlawful combination and confederacy existing therein,"—(*Mr. Gladstone*) .. 1482

LORDS, TUESDAY, MARCH 7.

MILITIA APPOINTMENTS—ROYAL CORNWALL RANGERS MILITIA—ADDRESS FOR CORRESPONDENCE—

Moved, "That an humble Address be presented to Her Majesty for all correspondence relating to the nomination of an officer for command of the Royal Cornwall Rangers Militia,"—(*The Lord Vivian*) 1483

After short debate, Motion *agreed to*.

COMMONS, TUESDAY, MARCH 7.

THE CENSUS—EDUCATION—Question, Mr. Melly; Answer, Mr. Bruce .. 1499

INCOME TAX—SERVANTS OF PRIVATE FIRMS—Question, Mr. Crawford; Answer, The Chancellor of the Exchequer 1499

IRELAND—SHERIFFS OF WESTMEATH AND LOUTH—Question, Mr. Monk; Answer, The Marquess of Hartington 1500

COURT OF HUSTINGS (LONDON) ABOLITION BILL—Question, Mr. W. H. Smith; Answer, The Attorney General 1500

PRUSSIA AND RUSSIA — ALLEGED SECRET TREATY—Question, Mr. Disraeli; Answer, Mr. Gladstone 1501

TREATY OF PARIS (1856) — DESPATCH No. 47 — Question, Mr. Baillie Cochrane; Answer, Viscount Enfield 1502

EDUCATION—NEW (REVISED) CODE—Question, Mr. Dodds; Answer, Mr. W. E. Forster 1502

ARMY—YEOMANRY REGIMENTS AND RIFLE RANGES—Question, Mr. Algernon Egerton; Answer, Mr. Cardwell 1503

MR. ODO RUSSELL'S DESPATCH—Question, Sir Hedworth Williamson; Answer, Mr. Gladstone 1503

ELEMENTARY EDUCATION ACT—SCHOOLS OF THE NATIONAL SOCIETY—Question, Mr. A. Johnston; Answer, Mr. W. E. Forster 1503

FRANCE—REPORTS OF THE MILITARY ATTACHE AT PARIS—Question, Sir Robert Peel; Answer, Viscount Enfield 1504

ARMY—SMALL POX IN THE GUARDS—Question, Colonel Wilson-Patten; Answer, Mr. Cardwell 1504

NEW FIRST LORD OF THE ADMIRALTY—Question, Sir James Elphinstone; Answer, Mr. Gladstone 1505

TREATY OF PARIS (1856)—NEUTRALIZATION OF THE BLACK SEA—THE CONFERENCE—Notice (*Mr. Gladstone*) 1505

DURHAM CHURCH LEASEHOLDS—RESOLUTION—

Moved, "That, in order to prevent hardship being inflicted on Lessees of the Church property of the Dean and Chapter of Durham by the running out of their Leases, on which they or their predecessors have invested capital on the faith of the continued renewal of such Leases, the Ecclesiastical Commissioners, in fixing the terms for enfranchisements or for the purchase of Leasehold interests, ought to have regard to the just and reasonable claims of Lessees arising from the long continued practice of renewal,"—(*Mr. Stevenson*) 1505

After short-debate, Motion, by leave, *withdrawn*.

THE PATENT LAWS—MOTION FOR A SELECT COMMITTEE—

Moved, "That a Select Committee be *appointed*, to inquire into the Law and practice and the effect of grants of Letters Patent for Inventions,"—(*Mr. Samuelson.*)

After debate, Motion *agreed to*:—And, on March 16, Committee *nominated*:—List of the Committee 1534

NATIONAL DEBT—RESOLUTION—

Moved, "That, in the opinion of this House, it is expedient to make early provision in the Estimates for reducing the debt not less than £10,000,000 a-year,"—(*Mr. Candlish*) 1534

After debate, Motion, by leave, *withdrawn.*

EDUCATION—SCHOOLS (DRILL AND GYMNASTICS)—RESOLUTION—

Moved, "That, in the opinion of this House, instruction in military drill and gymnastics should be given in all State-aided and Rate-aided Schools to boys over eight years of age; and that a Rule to that effect should be introduced into the 'Revised Code,'"—(*Mr. Robert Torrens*) 1559

After short debate, Motion, by leave, *withdrawn.*

Patents for Inventions Bill—*Ordered* (*Mr. Hinde Palmer, Mr. Mundella, Mr. Thomas Hughes*); *presented,* and read the first time [Bill 65] 1559

Burials Acts Amendment Bill—Acts read; *considered* in Committee:—Resolution *agreed to,* and *reported:*—Bill *ordered* (*Mr. Cawley, Mr. Holt, Mr. Birley*); *presented,* and read the first time [Bill 66] 1559

Elementary Education Act (1870) Amendment Bill—*Ordered* (*Mr. Dixon, Mr. Bayley Potter, Mr. Jacob Bright, Mr. Muntz*); *presented,* and read the first time [Bill 67] 1560

Poor Law (Loans) Bill—*Ordered* (*Mr. Russell Gurney, Mr. Cowper-Temple, Mr. Candlish*); *presented,* and read the first time [Bill 68] 1560

Customs and Inland Revenue Duties Act (1869) Amendment Bill—*Ordered* (*Mr. Bourke, Mr. Cross, Mr. Beckett Denison*); *presented,* and read the first time [Bill 69] 1560

COMMONS, WEDNESDAY, MARCH 8.

Game Laws (Scotland) Amendment Bill [Bill 4]—

Moved, "That the Bill be now read the second time,"—(*Mr. Loch*) .. 1561

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Lord Garlies:*)—After debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided;* Ayes 85, Noes 154; Majority 69:—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Education of the Blind, Deaf, and Dumb Bill [Bill 14]—

Moved, "That the Bill be now read the second time,"—(*Mr. Wheelhouse*) 1593

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Hibbert:*)—After short debate, Question, "That the word 'now' stand part of the Question," put, and *negatived:*—Words *added:*—Main Question, as amended, put, and *agreed to:*—Bill *put off* for six months.

Marriage with a Deceased Wife's Sister Bill [Bill 2]—

Order for Committee read:—*Moved,* "That Mr. Speaker do now leave the Chair,"—(*Mr. Thomas Chambers*) 1599

After short debate, House in Committee.

Moved, "That the Chairman do now leave the Chair,"—(*Mr. Hunt:*)—Question put:—The Committee *divided;* Ayes 84, Noes 149; Majority 65:—Bill *considered* in Committee.

After short time spent therein, Committee report Progress; to sit again *To-morrow.*

LORDS, THURSDAY, MARCH 9.

IRISH LAW REFORM—Question, The Marquess of Clanricarde; Answer, Lord Dufferin 1602

PRUSSIA AND RUSSIA—ALLEGED SECRET TREATY—Question, The Earl of Carnarvon; Answer, Earl Granville 1603

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CONVICTS FOR POLITICAL OFFENCES—RELEASE OF FENIAN PRISONERS—ADDRESS FOR PAPERS—

Moved that an humble Address be presented to Her Majesty for,

Return of the names of any convicts who may have been specially discharged from custody since the 1st of August 1870 as having been political offenders; together with a statement of the crimes of which they had severally been convicted, and the dates of their conviction: Also,

Copy of any instructions given by Her Majesty's Government with respect to the conditions on which such convicts were to be released, and to any arrangements made for sending them away from the United Kingdom,—(*The Earl Grey*) 1604

After long debate, Motion *agreed to.*

COMMONS, THURSDAY, MARCH 9.

IRELAND—MR. DALY AND THE COMMISSION OF THE PEACE FOR DROGHEDA—Question, Colonel Stuart Knox; Answer The Marquess of Hartington 1665

FORTIFYING WINES IN BOND—Question, Sir James Lawrence; Answer, The Chancellor of the Exchequer 1667

COURTS OF JUSTICE AND APPEAL—Question, Mr. Headlam; Answer, Mr. Bruce 1668

IRELAND—EXTENSION OF THE POST OFFICE TELEGRAPH SYSTEM—Question, Mr. Kavanagh; Answer, Mr. Monsell 1668

CLERKS OF CONVICT PRISONS—Question, Colonel Gilpin; Answer, Mr. Baxter 1669

THE BALLOT—Question, Mr. Pim; Answer, Mr. W. E. Forster .. 1669

CIVIL SERVICE COMMISSION—CLASSIFICATION OF PUBLIC OFFICES—Question, Sir Joseph Bailey; Answer, The Chancellor of the Exchequer .. 1669

TREATY OF PARIS (1856)—THE CONFERENCE—Question, Mr. Gladstone; Answer, Sir Charles W. Dilke 1671

THE NAVY ESTIMATES—Question, Mr. Corry; Answer, Mr. Goschen .. 1671

IRELAND—WESTMEATH, &c. (UNLAWFUL COMBINATIONS) COMMITTEE—Question, Mr. M'Mahon; Answer, The Marquess of Hartington .. 1672

DEFENCES OF CANADA—Question, Sir Charles Adderley; Answer, Mr. Knatchbull-Hugessen 1673

EDUCATION—THE NEW CODE—MUSIC—Questions, Mr. Reed, Mr. Dixon; Answers, Mr. W. E. Forster 1673

IRELAND—RAILWAYS—Question, Captain Stacpoole; Answer, Mr. Gladstone 1675

WESTERN COAST OF AFRICA—SIERRA LEONE—Question, Colonel Beresford; Answer, Mr. Knatchbull-Hugessen 1675

ARMY REGULATION BILL—REPAYMENT OF REGULATION PRICE—Question, Colonel C. H. Lindsay; Answer, Mr. Cardwell 1676

CATTLE DISEASE—RINDERPEST IN FRANCE—Question, Mr. M'Lagan; Answer, Mr. W. E. Forster 1676

INDIA—NORTH-WEST FRONTIER MEDALS—Question, Mr. Kinnaird; Answer, Mr. Grant Duff 1678

ARMY—BREECH-LOADERS—Question, Colonel North; Answer, Sir Henry Storks 1678

HIGHWAY BILLS—Question, Mr. G. Bentinck; Answer, Mr. Bruce .. 1678

Army Regulation Bill [Bill 39]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [6th March], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army,"—(*Colonel Loyd Lindsay,*)—instead thereof.

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Army Regulation Bill—continued.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* 1679

After long debate, *Moved*, "That the Debate be now adjourned,"—(*Sir John Pakington*:)—Debate *further adjourned* till *Monday* next.

Marriage with a Deceased Wife's Sister Bill [Bill 2]—

Bill *considered* in Committee [*Progress* 8*th March*] 1748

After short time spent therein, Bill *reported*, without Amendment; to be read the third time *To-morrow.*

WESTMEATH, &c. (UNLAWFUL COMBINATIONS) COMMITTEE—

Select Committee *nominated*:—List of the Committee 1750

Moved, "That the Select Committee have power to report the Evidence taken before them, and their Opinion thereon to the House,"—(*Mr. Newdegate.*)

After short debate, Question put, and *agreed to.*

Game Laws Amendment (No. 2) Bill—*Ordered* (*The Lord Advocate, Mr. Secretary Bruce*) 1753

LORDS, FRIDAY, MARCH 10.

CRIMINAL LAW—ACQUITTAL OF MARTHA TORPEY—Observations, Question, Earl Stanhope, Lord Cairns; Reply, The Lord Chancellor .. 1753

WELLINGTON MONUMENT—ST. PAUL'S CATHEDRAL—MOTION FOR PAPERS—

Moved, For all further Correspondence relative to the Wellington Monument between Mr. Penrose and Mr. Stevens with any Department of Her Majesty's Government up to the present time,"—(*The Marquess of Lansdowne*) 1760

After short debate, Motion *agreed to.*

Prison Ministers Bill [H.L.]—*Presented* (*The Earl of Morley*); read 1ª (No. 37) .. 1762

COMMONS, FRIDAY, MARCH 10.

METROPOLIS—CARRIAGE DRIVE IN HYDE PARK—Question, Sir Henry Hoare; Answer, Mr. Ayrton 1763

EXPORT OF ARMS TO BELLIGERENT STATES—Questions, Mr. Birley, Mr. Bouverie; Answers, Mr. Speaker, Mr. Gladstone 1764

THE PERSHORE MAGISTRATES—Question, Mr. P. A. Taylor; Answer, Mr. Bruce 1765

TRANSFER OF DEBENTURE STOCKS—Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer 1766

FRANCE AND GERMANY—ENTRY OF THE PRUSSIAN ARMY INTO BERLIN—COLONEL WALKER—Question, Mr. W. Lowther; Answer, Viscount Enfield 1767

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL—Question, Mr. Watkin Williams; Answer, Mr. Bruce 1767

FRANCE AND GERMANY—DEPARTURE OF GENERAL CLAREMONT FROM PARIS—Question, Mr. Rylands; Answer, Viscount Enfield 1768

ARMY—AMMUNITION FOR THE VOLUNTEERS—Question, Colonel C. H. Lindsay; Answer, Sir Henry Storks 1768

FRANCE AND PRUSSIA—THE WAR—OFFER OF MEDIATION—Question, Mr. Otway; Answer, Viscount Enfield 1769

EDUCATION OF BLIND AND DEAF-MUTE CHILDREN—Question, Mr. Wheelhouse; Answer, Mr. W. E. Forster 1770

ARMY—PAY AND PROMOTION—Question, Mr. Rylands; Answer, Captain Vivian 1771

PAY AND ALLOWANCES OF MILITARY ATTACHES—Questions, Mr. Montague Guest, Sir Robert Peel; Answers, Viscount Enfield 1771

DEFENCES OF CANADA—Question, Sir Charles Adderley; Answer, Mr. Knatchbull-Hugessen 1773

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Navy—H. M. S. "Megæra"—Question, Mr. Kavanagh; Answer, Mr. Goschen 1773

Education—The New Code—Infant School Children—Question, Mr. Baines; Answer, Mr. W. E. Forster 1774

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Envoy of Prince Kassa, of Abyssinia—Observations, Question, Mr. Powell; Reply, Viscount Enfield:—Short debate thereon .. 1774

India—Indian Harbours—Observations, Sir James Elphinstone; Reply, Mr. Grant Duff:—Short debate thereon 1778

Education—The New Code—Observations, Mr. Kay Shuttleworth:—Debate thereon 1788

Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that such alterations be made in the New Code of Regulations issued by the Committee of the Privy Council on Education, and now lying upon the Table of this House, as shall prevent any increased scale of Grants of Public Money to Denominational Schools:

That in Article 32, after Section (a) 1, there be added 'Three times the amount of such subscriptions alone:'

That in Article 32, after Section (a), there be added—

(b) The amount of any annual endowment;

(c) The excess of the income of the school for the year from all sources over its expenditure in that year,"—(*Mr. Dixon,*)—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question:"—After further debate, Question put:—The House *divided;* Ayes 231, Noes 64; Majority 167.

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn:*—Committee *deferred* till *Monday* next.

Marriage with a Deceased Wife's Sister Bill [Bill 2]—

Moved, "That the Bill be now read the third time,"—(*Mr. Thomas Chambers*) 1843

Moved, "That the Debate be now adjourned,"—(*Mr. Maguire:*)—After short debate, Motion, by leave, *withdrawn.*

Original Question put, and *agreed to:*—Bill read the third time, and *passed.*

LORDS, MONDAY, MARCH 13.

Treaty of Paris (1856)—Neutralization of the Black Sea—The Conference—Question, The Duke of Richmond; Answer, Earl Granville 1844

Education—The New Code (1871)—Resolution—

Moved, "1. That the children of families migrating from one parish to another at (Lady-day and Michaelmas), and bringing with them a duly certificated table of attendances from the school they have left, be allowed to reckon such attendances in the school to which they have come:

"2. That a certificate be given to every child who has passed in the fourth and two higher standards, and in any extra subject:

"3. That the number of days for which evening schools in agricultural parishes be required to be open be 60, and the number of requisite attendances be 40,"—(*The Earl Nelson*) 1845

After short debate, Motion (by leave of the House) *withdrawn.*

Prayer Book (Tables of Lessons) Bill (No. 29)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1853

After debate, Motion *agreed to:*—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

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COMMONS, MONDAY, MARCH 13.

Page

Irish Land Act—Question, Mr. Stewart Hardy; Answer, Mr. Gladstone 1867

Post Office—Posting of Newspapers, &c. in Wall and Pillar Letter-Boxes—Question, Mr. Miller; Answer, Mr. Monsell 1868

Post Office—Letters of Officers at Foreign Stations—Question, Sir Hervey Bruce; Answer, Mr. Monsell 1869

Ireland—Ribandism—Question, Mr. Monk; Answer, The Marquess of Hartington 1869

The Treaty of Paris (1856)—Neutralization of the Black Sea—The Conference—Question, Mr. Baillie Cochrane; Answer, Viscount Enfield 1870

Army—Passed Candidates for Direct Commissions—Questions, Colonel Corbett, Lord Garlies; Answers, Mr. Cardwell 1871

Army—Christchurch Barracks—Question, Mr. G. Bentinck; Answer, Mr. Cardwell 1872

Poor Law (Metropolis)—Small Pox Hospitals—Questions, Mr. Gathorne Hardy, Mr. Peek; Answers, Mr. Goschen, Mr. Hibbert .. 1872

Cost of the Abyssinian War—Question, Mr. Hunt; Answer, The Chancellor of the Exchequer 1873

Ireland—Ribandism in Westmeath, &c.—Question, Sir Frederick W. Heygate; Answer, Mr. Gladstone 1874

Ireland—Railways—Question, Mr. Vance; Answer, Mr. Chichester Fortescue 1874

Army—Abolition of Purchase—Provision of Funds—Question, Lord Garlies; Answer, Mr. Cardwell 1875

Epping Forest—Felling Timber—Question, Sir Henry Selwin-Ibbetson; Answer, The Chancellor of the Exchequer 1875

Treaty of Paris (1856)—Despatch of Mr. Odo Russell—Question, Mr. Bouverie; Answer, Viscount Enfield 1876

Indian Engineering College—Question, Mr. Fawcett; Answer, Mr. Grant Duff 1876

Army Regulation Bill [Bill 39]—

Order read, for resuming Adjourned Debate on Amendment proposed to Question [6th March], "That the Bill be now read a second time;" and which Amendment was,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army,"—(*Colonel Loyd Lindsay*,)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question:"—Debate *resumed* 1877

After long debate, Debate *further adjourned* till *Thursday*.

Metropolitan Board of Works (*Leicester Square Improvement*), *&c. Bills*—

Select Committee *nominated*:—List of the Committee 1968

LORDS, TUESDAY, MARCH 14.

Presbyterian Church of Ireland Bill
Primitive Wesleyan Methodist Society of Ireland Bill

Order of the Day for the Second Reading of these Bills, read .. 1968

After short debate, Order of the Day for the Second Reading *discharged*.

Then—A Bill for the incorporation of the Irish Presbyterian Church Trustees, *presented* (*The Lord Cairns*); read 1ª (No. 41.)

A Bill to alter and regulate the proceedings and powers of the Primitive Wesleyan Methodist Society of Ireland, and for other purposes, *presented* (*The Lord Cairns*); read 1ª (No. 42.)

Prayer Book (Tables of Lessons) Bill (No. 29)—

House in Committee (according to Order) 1969

Amendment made:—The Report thereof to be received on *Thursday* next.

[*March* 14.] Page

Benefices Resignation Bill (No. 7)—
Order of the Day for the House to be put into Committee, read .. 1971
Moved, "That the Committee be *postponed* till *Thursday*,"—(*The Lord Romilly*.)
Moved, "That the House do now resolve itself into a Committee."
An Amendment *moved*, to leave out ("now") and insert ("on Thursday next.")
On Question, That ("now") stand part of the Motion? their Lordships *divided;* Contents 60, Not-Contents 23; Majority 37:—House in Committee accordingly.
After short time spent therein, the Report of the Amendments to be received on *Tuesday* next; and Bill to be *printed*, as amended. (No. 43.)

COMMONS, TUESDAY, MARCH 14.

METROPOLIS — THE WELLINGTON MONUMENT — Question, Mr. Heygate; Answer, Mr. Ayrton 1979
ADJUSTMENT OF LOCAL BURDENS — Question, Mr. Acland; Answer, Mr. Gladstone 1980
THE INDIA OFFICE MUSEUM—Question, Colonel Sykes; Answer, Mr. G. Duff 1980
ARMY—WEST INDIAN, CAPE MOUNTED, AND CANADIAN RIFLE REGIMENTS —Question, Mr. Dease; Answer, Sir Henry Storks 1981
CASE OF THE "EPAMINONDAS"—Question, Mr. Plimsoll; Answer, Mr. Bruce 1981
EXPLOSION AT THE SOUTH WALES COLLIERY—Question, Mr. Serjeant Simon; Answer, Mr. Bruce 1982
IRELAND—OUTRAGE IN MAYO—Question, Captain Dawson-Damer; Answer, The Marquess of Hartington 1983
CONDUCT OF WAR ON LAND—Question, Mr. Gladstone; Answer, Mr. Buxton 1983
THE PERSHORE MAGISTRATES—Question, Mr. P. A. Taylor; Answer, Mr. Bruce 1984

OFFICIAL SALARIES—MOTION FOR A SELECT COMMITTEE—
Moved, "That a Select Committee be appointed to inquire into the Salaries and Emoluments of Offices held during the pleasure of the Crown by Members of either House of Parliament voted in the annual Estimates,"—(*Mr. Lambert*) 1985
After debate, Question put, and *negatived*.

POST OFFICE—(SMALL PARCELS)—RESOLUTION—
Moved, "That it is desirable to restore and extend those facilities for the transmission of Small Parcels by Post which the public enjoyed prior to the 1st day of October 1870,"—(*Mr. Graves*) 2003
After debate, Motion, by leave, *withdrawn*.

LAND TRANSFER—OBSERVATIONS—RESOLUTION—
Moved, "That, in the opinion of this House, it is expedient to afford further facilities for the declaration of title through the Office of Land Registry,"—(*Mr. George Gregory*) .. 2023
After short debate, Motion, by leave, *withdrawn*.

Private Chapels Bill [Bill 37]—
Order for Committee read 2030
After short debate, Bill *considered* in Committee.
After short time spent therein, Bill *reported;* as amended, to be *considered* on *Friday*.

Trades Unions Bill [Bill 28]—
Moved, "That the Bill be now read a second time,"—(*Mr. Bruce*) .. 2032
After short debate, Question put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday* 23rd March.

Medical Act (1858) Amendment Bill—*Ordered* (*Dr. Lush, Mr. Mundella, Dr. Brewer*); *presented*, and read the first time [Bill 72] 2046

Medical Act (1858) Amendment (No. 2) Bill—*Ordered* (*Mr. Brady, Mr. Haviland-Burke, Mr. Murphy*) 2046

APPENDIX.

LORDS.

NEW PEER.

THURSDAY, FEBRUARY 9, 1871.

William Gordon Cornwallis Eliot, esquire (commonly called Lord Eliot), created Baron Eliot.

SAT FIRST.

THURSDAY, FEBRUARY 9, 1871.

The Marquess of Hertford, after the Death of his Cousin.
The Marquess of Cholmondeley, after the Death of his Brother.
The Lord Gwydir, after the Death of his Uncle.
The Lord Brodrick, after the Death of his Father.

TUESDAY, FEBRUARY 14.

The Lord Loftus (The Marquess of Ely), after the Death of his Father.

FRIDAY, FEBRUARY 17.

The Marquess of Bute, after the Death of his Father.

TUESDAY, MARCH 7.

The Lord Kenlis (the Marquess of Headfort), after the Death of his Father.

COMMONS.

NEW WRITS ISSUED.

DURING RECESS.

For *Surrey* (Western Division), *v.* John Ivatt Briscoe, esquire, deceased.
For *Shrewsbury*, *v.* William James Clement, esquire, deceased.
For *Surrey* (Middle Division), *v.* Hon. William Brodrick, now Viscount Middleton.
For *Colchester*, *v.* John Gurdon Rebow, esquire, deceased.
For *Newport* (*Isle of Wight*), *v.* Charles Wykeham Martin, esquire, deceased.
For *Meath County*, *v.* Matthew Elias Corbally, esquire, deceased.
For *Durham City*, *v.* John Robert Davison, esquire, Judge Advocate.
For *Newry*, *v.* William Kirk, esquire, deceased.
For *Limerick County*, *v.* Right Hon. William Monsell, Postmaster General.
For *Norfolk* (Western Division), *v.* Hon. Thomas De Grey, now Lord Walsingham.

THURSDAY, FEBRUARY 9, 1871.

For *Galway County*, *v.* Hubert De Burgh Canning, commonly called Viscount Burke, Chiltern Hundreds.
For *York City*, *v.* Joshua Proctor Brown Westhead, esquire, Manor of Northstead.
For *Ripon City*, *v.* John Hay, commonly called Lord John Hay, Chiltern Hundreds.

NEW WRITS ISSUED—*continued.*

FRIDAY, FEBRUARY 10.

For *Westmoreland County*, *v.* Thomas Taylour, commonly called Earl of Bective, now Marquess of Headfort.

MONDAY, FEBRUARY 13.

For *Norwich*, *v.* Jacob Henry Tillett, esquire, void Election.

TUESDAY, FEBRUARY 21.

For *Staleybridge*, *v.* James Sidebottom, esquire, deceased.

WEDNESDAY, FEBRUARY 22.

For *Hereford City*, *v.* Colonel Edward Clive, Chiltern Hundreds.

FRIDAY, FEBRUARY 24.

For *Monmouth County*, *v.* Colonel Poulett Somerset, C.B., Chiltern Hundreds.

WEDNESDAY, MARCH 8.

For *Halifax*, *v.* Right Hon. James Stansfeld, Commissioner of the Poor Laws.

NEW MEMBERS SWORN.

THURSDAY, FEBRUARY 9, 1871.

Limerick County—Right Hon. William Monsell.
Newport (*Isle of Wight*)—Charles Cavendish Clifford, esquire.
Dublin City—Sir Dominic D. Corrigan, baronet.
Surrey (Western Division)—Lee Steere, esquire.
Newry—Viscount Newry.
Shrewsbury—Douglas Straight, esquire.
Surrey (Middle Division)—Sir Richard Baggally.
Durham City—John Robert Davison, esquire.
Colchester—Alexander Learmonth, esquire.
Norfolk (Western Division)—George William Pierrepoint Bentinck, esquire.
Plymouth—Sir Robert Collier.

THURSDAY, FEBRUARY 16.

York City—George Leeman, esquire.
Ripon City—Sir Henry Knight Storks.

THURSDAY, FEBRUARY 23.

Norwich City—Jeremiah James Colman, esquire.

FRIDAY, FEBRUARY 24.

Galway County—Mitchell Henry, esquire.

THURSDAY, MARCH 2.

Staleybridge—Nathaniel Buckley, esquire.
Hereford City—Major George Arbuthnot.

FRIDAY, MARCH 3.

Westmoreland—Earl of Bective.

MONDAY, MARCH 6.

Monmouth County—Lord Henry Richard Charles Somerset.

WEDNESDAY, MARCH 8.

Meath—John Martin, esquire.

TUESDAY, MARCH 14.

Halifax—Right Hon. James Stansfeld.

THE MINISTRY

As formed by the Right Honourable WILLIAM EWART GLADSTONE.

THE CABINET.

First Lord of the Treasury	Right Hon. William Ewart Gladstone.
Lord Chancellor	Right Hon. Lord Hatherley.
President of the Council	Right Hon. Earl De Grey and Ripon, K.G.
Lord Privy Seal	Right Hon. Viscount Halifax, G.C.B.
Secretary of State, Home Department	Right Hon. Henry Austin Bruce.
Secretary of State, Foreign Department	Right Hon. Earl Granville, K.G.
Secretary of State for Colonies	Right Hon. Earl of Kimberley.
Secretary of State for War	Right Hon. Edward Cardwell.
Secretary of State for India	His Grace the Duke of Argyll, K.G.
Chancellor of the Exchequer	Right Hon. Robert Lowe.
First Lord of the Admiralty	Right Hon. Hugh Culling Eardley Childers.
Postmaster General	Right Hon. William Monsell.
President of the Board of Trade	Right Hon. Chichester Samuel Fortescue.
Chief Secretary to the Lord Lieutenant (Ireland)	Right Hon. Marquess of Hartington.
Chief Commissioner of the Poor Law Board	Right Hon. George Joachim Goschen.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of Cambridge, K.G.
Chancellor of the Duchy of Lancaster	Right Hon. Lord Dufferin, K.P., K.C.B.
Chief Commissioner of Works and Public Buildings	Right Hon. Acton Smee Ayrton.
Vice President of the Committee of Privy Council for Education	Right Hon. William Edward Forster.
Lords of the Treasury	Most Hon. Marquess of Lansdowne, William Patrick Adam, Esq., Hon. Captain John Cranch Walker Vivian, and William Henry Gladstone, Esq.
Lords of the Admiralty	Admiral Sir Sydney Colpoys Dacres, K.C.B., Vice Admiral Sir Robert Spencer Robinson, K.C.B., Captain Lord John Hay, C.B., and Right Hon. Earl of Camperdown.
Joint Secretaries of the Treasury	George Grenfell Glyn, Esq., and Right Hon. James Stansfeld.
Secretary of the Admiralty	William Edward Baxter, Esq.
Secretary to the Board of Trade	Arthur Wellesley Peel, Esq.
Secretary to the Poor Law Commissioners	John Tomlinson Hibbert, Esq.
Under Secretary, Home Department	George John Shaw-Lefevre, Esq.
Under Secretary, Foreign Department	Viscount Enfield
Under Secretary for Colonies	Edward Hugessen Knatchbull-Hugessen, Esq.
Under Secretary for War	Right Hon. Lord Northbrook.
Under Secretary for India	Mountstuart Elphinstone Grant Duff, Esq.
Judge Advocate General	Right Hon. John Robert Davison.
Attorney General	Sir Robert Porrett Collier, Knt.
Solicitor General	Sir John Duke Coleridge, Knt.

SCOTLAND.

Lord Advocate	Right Hon. George Young.
Solicitor General	Andrew Rutherford Clark, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl Spencer, K.G., K.P.
Lord Chancellor	Right Hon. Lord O'Hagan.
Chief Secretary to the Lord Lieutenant	Right Hon. Marquess of Hartington.
Attorney General	Right Hon. Charles Robert Barry.
Solicitor General	Richard Dowse, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Right Hon. Earl of Bessborough.
Lord Chamberlain	Right Hon. Viscount Sydney, G.C.B.
Master of the Horse	Most Hon. Marquess of Ailesbury, K.G.
Treasurer of the Household	Right Hon. Lord De Tabley.
Comptroller of the Household	Right Hon. Lord Otho Augustus FitzGerald.
Vice Chamberlain of the Household	Right Hon. Viscount Castlerosse.
Captain of the Corps of Gentlemen at Arms	Most Hon. Marquess of Normanby.
Captain of the Yeomen of the Guard	His Grace the Duke of St. Albans.
Master of the Buckhounds	Right Hon. Earl of Cork, K.P.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Her Grace the Duchess of Sutherland.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

IN THE THIRD SESSION OF THE TWENTIETH PARLIAMENT OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND.

34o VICTORIÆ 1871.

MEM.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness THE PRINCE OF WALES.

His Royal Highness ALFRED ERNEST ALBERT Duke of EDINBURGH.

His Royal Highness GEORGE FREDERICK ALEXANDER CHARLES ERNEST AUGUSTUS Duke of CUMBERLAND AND TEVIOTDALE. (*King of Hanover.*)

His Royal Highness GEORGE WILLIAM FREDERICK CHARLES Duke of CAMBRIDGE.

ARCHIBALD CAMPBELL Archbishop of CANTERBURY.

WILLIAM PAGE Lord HATHERLEY, *Lord Chancellor.*

WILLIAM Archbishop of YORK.

GEORGE FREDERICK SAMUEL Earl DE GREY and Earl of RIPON, *Lord President of the Council.*

CHARLES Viscount HALIFAX, *Lord Privy Seal.*

HENRY Duke of NORFOLK, *Earl Marshal of England.*

EDWARD ADOLPHUS Duke of SOMERSET.

CHARLES HENRY Duke of RICHMOND.

WILLIAM HENRY Duke of GRAFTON.

HENRY CHARLES FITZROY Duke of BEAUFORT.

WILLIAM AMELIUS AUBREY DE VERE Duke of SAINT ALBANS.

GEORGE GODOLPHIN Duke of LEEDS.

WILLIAM Duke of BEDFORD.

WILLIAM Duke of DEVONSHIRE.

JOHN WINSTON Duke of MARLBOROUGH.

CHARLES CECIL JOHN Duke of RUTLAND.

WILLIAM ALEXANDER LOUIS STEPHEN Duke of BRANDON. (*Duke of Hamilton.*)

WILLIAM JOHN Duke of PORTLAND.

WILLIAM DROGO Duke of MANCHESTER.

HENRY PELHAM ALEXANDER Duke of NEWCASTLE.

ALGERNON GEORGE Duke of NORTHUMBERLAND.

ARTHUR RICHARD Duke of WELLINGTON.

RICHARD PLANTAGENET CAMPBELL Duke of BUCKINGHAM AND CHANDOS.

GEORGE GRANVILLE WILLIAM Duke of SUTHERLAND.

HARRY GEORGE Duke of CLEVELAND.

JOHN Marquess of WINCHESTER.

GEORGE Marquess of TWEEDDALE. (*Elected for Scotland.*)

HENRY CHARLES KEITH Marquess of LANSDOWNE.

JOHN VILLIERS STUART Marquess TOWNSHEND.

ROBERT ARTHUR TALBOT Marquess of SALISBURY.

JOHN ALEXANDER Marquess of BATH.

JAMES Marquess of ABERCORN. (*Duke of Abercorn.*)

FRANCIS HUGH GEORGE Marquess of HERTFORD.

JOHN PATRICK Marquess of BUTE.

WILLIAM ALLEYNE Marquess of EXETER.

CHARLES Marquess of NORTHAMPTON.

JOHN CHARLES Marquess CAMDEN.

ROLL OF THE LORDS SPIRITUAL AND TEMPORAL.

Henry William George Marquess of Anglesey.
William Henry Hugh Marquess of Cholmondeley.
George William Frederick Marquess of Ailesbury.
George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)
Frederick William John Marquess of Bristol.
Archibald Marquess of Ailsa.
Hugh Lupus Marquess of Westminster.
George Augustus Constantine Marquess of Normanby.

Charles John Earl of Shrewsbury.
Edward Henry Earl of Derby.
Francis Theophilus Henry Earl of Huntingdon.
George Robert Charles Earl of Pembroke and Montgomery.
William Reginald Earl of Devon.
Charles John Earl of Suffolk and Berkshire.
Rudolph William Basil Earl of Denbigh.
Francis William Henry Earl of Westmorland.
George Augustus Frederick Albemarle Earl of Lindsey.
George Harry Earl of Stamford and Warrington.
George James Earl of Winchilsea and Nottingham.
George Arthur Philip Earl of Chesterfield.
John William Earl of Sandwich.
Arthur Algernon Earl of Essex.
William George Earl of Carlisle.
Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)
Anthony Earl of Shaftesbury.
———— Earl of Berkeley.
Montagu Earl of Abingdon.
Richard George Earl of Scarbrough.
George Thomas Earl of Albemarle.
George William Earl of Coventry.
Victor Albert George Earl of Jersey.
William Henry Earl Poulett.
Sholto John Earl of Morton. (*Elected for Scotland.*)
Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)
Claude Earl of Strathmore and Kinghorn. (*Elected for Scotland.*)
Walter Coningsby Earl of Kellie. (*Elected for Scotland.*)
Thomas Earl of Lauderdale. (*Elected for Scotland.*)
David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)
John Thornton Earl of Leven and Melville. (*Elected for Scotland.*)
Dunbar James Earl of Selkirk. (*Elected for Scotland.*)
Thomas John Earl of Orkney. (*Elected for Scotland.*)
Sewallis Edward Earl Ferrers.
William Walter Earl of Dartmouth.
Charles Earl of Tankerville.
Heneage Earl of Aylesford.
Francis Thomas De Grey Earl Cowper.
Philip Henry Earl Stanhope.
Thomas Augustus Wolstenholme Earl of Macclesfield.
James Earl Graham. (*Duke of Montrose.*)
William Frederick Earl Waldegrave.
Bertram Earl of Ashburnham.
Charles Wyndham Earl of Harrington.
Isaac Newton Earl of Portsmouth.
George Guy Earl Brooke and Earl of Warwick.
Augustus Edward Earl of Buckinghamshire.
William Thomas Spencer Earl Fitzwilliam.
Dudley Francis Earl of Guilford.
Charles Philip Earl of Hardwicke.
Henry Edward Earl of Ilchester.
Charles Richard Earl De La Warr.
Jacob Earl of Radnor.
John Poyntz Earl Spencer.
William Lennox Earl Bathurst.
Arthur Wills Blundell Trumbull Sandys Roden Earl of Hillsborough. (*Marquess of Downshire.*)
Edward Hyde Earl of Clarendon.
William David Earl of Mansfield.
William Earl of Abergavenny.
John James Hugh Henry Earl Strange. (*Duke of Athol.*)
William Henry Earl of Mount Edgcumbe.
Hugh Earl Fortescue.
Henry Howard Molyneux Earl of Carnarvon.
Henry Charles Earl Cadogan.

James Howard Earl of Malmesbury.

John Vansittart Danvers Earl of Lanesborough. *(Elected for Ireland.)*

Stephen Earl of Mount Cashell. *(Elected for Ireland.)*

Henry John Reuben Earl of Portarlington. *(Elected for Ireland.)*

William Richard Earl Annesley. *(Elected for Ireland.)*

John Earl of Erne. *(Elected for Ireland.)*

George Charles Earl of Lucan. *(Elected for Ireland.)*

Somerset Richard Earl of Belmore. *(Elected for Ireland.)*

Francis Earl of Bandon. *(Elected for Ireland.)*

Francis Robert Earl of Rosslyn.

George Grimston Earl of Craven.

William Hillier Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

Lawrence Earl of Rosse. *(Elected for Ireland.)*

Sydney William Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale.

Dudley Earl of Harrowby.

Henry Thynne Earl of Harewood.

William Hugh Earl of Minto.

Alan Frederick Earl Cathcart.

James Walter Earl of Verulam.

Adelbert Wellington Brownlow Earl Brownlow.

Edward Granville Earl of Saint Germans.

Albert Edmund Earl of Morley.

Orlando George Charles Earl of Bradford.

Frederick Earl Beauchamp.

William Henry Hare Earl of Bantry. *(Elected for Ireland.)*

George Frederick Samuel Earl De Grey and Earl of Ripon. *(In another Place as Lord President of the Council.)*

John Earl of Eldon.

George Augustus Frederick Louis Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

George Henry Robert Charles William Earl Vane.

William Pitt Earl Amherst.

John Frederick Vaughan Earl Cawdor.

William George Earl of Munster.

Robert Adam Philips Haldane Earl of Camperdown.

Thomas George Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry John Earl of Ducie.

Charles Maude Worsley Earl of Yarborough.

James Henry Robert Earl Innes. *(Duke of Roxburghe.)*

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.

Charles George Earl of Gainsborough.

Edward Earl of Ellenborough.

Francis Charles Granville Earl of Ellesmere.

George Stevens Earl of Strafford.

William John Earl of Cottenham.

Henry Richard Charles Earl Cowley.

Archibald William Earl of Winton. *(Earl of Eglintoun.)*

William Earl of Dudley.

John Earl Russell.

John Earl of Kimberley.

Richard Earl of Dartrey.

William Ernest Earl of Feversham.

John Robert Viscount Sydney, *Lord Chamberlain of the Household.*

Robert Viscount Hereford.

William Henry Viscount Strathallan. *(Elected for Scotland.)*

Henry Viscount Bolingbroke and St. John.

Evelyn Viscount Falmouth.

George Viscount Torrington.

Augustus Frederick Viscount Leinster. *(Duke of Leinster.)*

John Robert Viscount Sydney. *(In another Place as Lord Chamberlain of the Household.)*

Francis Wheler Viscount Hood.

Mervyn Viscount Powerscourt. (*Elected for Ireland.*)
Thomas Viscount De Vesci. (*Elected for Ireland.*)
James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
Carnegie Robert John Viscount St. Vincent.
Henry Viscount Melville.
William Wells Viscount Sidmouth.
George Frederick Viscount Templetown. (*Elected for Ireland.*)
George Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
John Luke George Viscount Hutchinson. (*Earl of Donoughmore.*)
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Wellington Henry Viscount Combermere.
John Henry Thomas Viscount Canterbury.
Rowland Viscount Hill.
Charles Stewart Viscount Hardinge.
George Stephens Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley.
Charles Viscount Halifax. (*In another Place as Lord Privy Seal.*)
Alexander Nelson Viscount Bridport.

John Bishop of London.
Charles Bishop of Durham.
Samuel Bishop of Winchester.
Connop Bishop of St. David's.
Alfred Bishop of Llandaff.
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
James Colquhoun Bishop of Bangor.
Henry Bishop of Worcester.
Charles John Bishop of Gloucester and Bristol.
Edward Harold Bishop of Ely.
William Bishop of Chester.
Thomas Legh Bishop of Rochester.
George Augustus Bishop of Lichfield.
James Bishop of Hereford.
William Connor Bishop of Peterborough.
Christopher Bishop of Lincoln.
George Bishop of Salisbury.
Frederick Bishop of Exeter.
Harvey Bishop of Carlisle.
Arthur Charles Bishop of Bath and Wells.
John Fielder Bishop of Oxford.
James Bishop of Manchester.
Richard Bishop of Chichester.

John George Brabazon Lord Ponsonby (*Earl of Bessborough*), *Lord Steward of the Household.*
George Douglas Lord Sundridge (*Duke of Argyll*), *One of Her Majesty's Principal Secretaries of State.*
William Lennox Lascelles Lord De Ros.
Jacob Henry Delaval Lord Hastings.
George Edward Lord Audley.
Thomas Crosby William Lord Dacre.
Charles Henry Rolle Lord Clinton.
Robert Lord Zouche of Haryngworth.
Thomas Lord Camoys.
Henry Lord Beaumont.
Charles Lord Stourton.
Henry William Lord Berners.
Henry Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
Ralph Gordon Lord Wentworth.
Robert George Lord Windsor.
St. Andrew Beauchamp Lord St. John of Bletso.
Frederick George Lord Howard de Walden.
William Bernard Lord Petre.
Frederick Benjamin Lord Saye and Sele.
John Francis Lord Arundell of Wardour.
John Stuart Lord Clifton. (*Earl of Darnley.*)
Joseph Thaddeus Lord Dormer.
George Henry Lord Teynham.
Henry Valentine Lord Stafford.
George Frederick William Lord Byron.
Charles Hugh Lord Clifford of Chudleigh.

Alexander Lord Saltoun. (*Elected for Scotland.*)

James Lord Sinclair. (*Elected for Scotland.*)

William Buller Fullerton Lord Elphinstone. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

George Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

John George Brabazon Lord Ponsonby. (*Earl of Bessborough.*) (*In another Place as Lord Steward of the Household.*)

George John Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

Florance George Henry Lord Boston.

George James Lord Lovel and Holland. (*Earl of Egmont.*)

Augustus Henry Lord Vernon.

Edward St. Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*) (*In another Place as One of Her Majesty's Principal Secretaries of State.*)

Edward Henry Julius Lord Hawke.

Henry Thomas Lord Foley.

Francis William Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

William Gordon Cornwallis Lord Eliot.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Henry De La Poer Lord Tyrone. (*Marquess of Waterford.*)

Henry Bentinck Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Guy Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

William George Lord Auckland.

George William Lord Lyttelton.

George Lord Mendip. (*Viscount Clifden.*)

Archibald George Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William Lord Brodrick. (*Viscount Midleton.*)

Frederick Henry William Lord Calthorpe.

Peter Robert Lord Gwydir.

Charles Robert Lord Carrington.

William Henry Lord Bolton.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Lord Dunsany. (*Elected for Ireland.*)

Theobald Fitz-Walter Lord Dunboyne. (*Elected for Ireland.*)

Lucius Lord Inchiquin. (*Elected for Ireland.*)

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

John Cavendish Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Charles Lord Headley. (*Elected for Ireland.*)

Eyre Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

Granville Leveson Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

Horace Lord Rivers.

Augustus Frederick Arthur Lord Sandys

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Frederick William Robert Lord Stewart of Stewart's Court. (*Marquess of Londonderry.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

George Frederick Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Hale John Charles Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Francis Robert Lord Harris.

Reginald Charles Edward Lord Colchester.

Schomberg Henry Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

William Lygon Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Henry Thomas Lord Ravensworth.

Hugh Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Robert Francis Lord Gifford.

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

Alexander William Crawford Lord Wigan. (*Earl of Crawford and Balcarres.*)

Thomas Granville Henry Stuart Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Edward Montagu Stuart Granville Lord Wharncliffe.

Charles Stuart Aubrey Lord Tenterden.

John Lord Plunket.

William Henry Ashe Lord Heytesbury.

Archibald Philip Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Draper Mortimer Lord Wynford.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

John Hobart Lord Howden.

Fox Lord Panmure. (*Earl of Dalhousie.*)

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Valentine Frederick Lord Cloncurry.

John St. Vincent Lord De Saumarez.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Alexander Hugh Lord Ashburton.

Edward Richard Lord Hatherton.

Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)

William Frederick Lord Stratheden.

Geoffrey Dominick Augustus Frederick Lord Oranmore and Browne. (*Elected for Ireland.*)

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Bateman Lord Bateman.

James Molyneux Lord Charlemont. (*Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Henry Cairns Lord Rossmore.

Robert Shapland Lord Carew.
Charles Frederick Ashley Cooper Lord De Mauley.
Arthur Lord Wrottesley.
Sudeley Charles George Tracy Lord Sudeley.
Frederick Henry Paul Lord Methuen.
Henry Edward John Lord Stanley of Alderley.
Henry Lord Stuart de Decies.
William Henry Lord Leigh.
Beilby Richard Lord Wenlock.
Charles Lord Lurgan.
Thomas Spring Lord Monteagle of Brandon.
James Lord Seaton.
Edward Arthur Wellington Lord Keane.
John Lord Oxenfoord. (*Earl of Stair.*)
Charles Crespigny Lord Vivian.
John Lord Congleton.
Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)
Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)
Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)
William Henry Forester Lord Londesborough.
Samuel Jones Lord Overstone.
Charles Robert Claude Lord Truro.
——— Lord De Freyne.
Edward Burtenshaw Lord Saint Leonards.
Richard Henry Fitz-Roy Lord Raglan.
Gilbert Henry Lord Aveland.
Thomas Lord Kenmare. (*Earl of Kenmare.*)
Richard Bickerton Pemell Lord Lyons.
Edward Lord Belper.
James Lord Talbot de Malahide.
Robert Lord Ebury.
James Lord Skene. (*Earl Fife.*)
William George Lord Chesham.
Frederic Lord Chelmsford.
John Lord Churston.
John Charles Lord Strathspey. (*Earl of Seafield.*)
Henry Lord Leconfield.
William Tatton Lord Egerton.
Charles Morgan Robinson Lord Tredegar.
Robert Vernon Lord Lyveden.
William Lord Brougham and Vaux.
Richard Lord Westbury.
Francis William Fitzhardinge Lord Fitzhardinge.
Henry Lord Annaly.
Richard Monckton Lord Houghton.
Reginald Windsor Lord Buckhurst.
John Lord Romilly.
Thomas George Lord Northbrook.
James Lord Barrogill. (*Earl of Caithness.*)
Thomas Lord Clermont.
William Meredyth Lord Meredyth. (*Lord Athlumney.*)
Edwin Richard Windham Lord Kenry. (*Earl of Dunraven and Mount-Earl.*)
Charles Stanley Lord Monck. (*Viscount Monck.*)
John Major Lord Hartismere. (*Lord Henniker.*)
Edward George Earle Lytton Lord Lytton.
William George Hylton Lord Hylton.
Hugh Henry Lord Strathnairn.
Edward Gordon Lord Penrhyn.
Gustavus Frederick Lord Brancepeth. (*Viscount Boyne.*)
Duncan Lord Colonsay.
Hugh Mac Calmont Lord Cairns.
John Lord Kesteven.
John Lord Ormathwaite.
Brook William Lord Fitzwalter.
William Lord O'Neill.
Robert Cornelis Lord Napier.
Edward Anthony John Lord Gormanston. (*Viscount Gormanston.*)
William Page Lord Hatherley. (*In another Place as Lord Chancellor.*)
John Laird Mair Lord Lawrence.
James Plaisted Lord Penzance.
John Lord Dunning. (*Lord Rollo.*)
James Lord Balinhard. (*Earl of Southesk.*)
William Lord Hare. (*Earl of Listowel.*)
Edward George Lord Howard of Glossop.
John Lord Castletown.
John Emerich Edward Lord Acton.
Thomas James Lord Robartes.
George Carr Lord Wolverton.
Fulke Southwell Lord Greville.
Charles William Lord Kildare.
Thomas Lord O'Hagan.
John Lord Lisgar.

LIST OF THE COMMONS.

LIST OF MEMBERS.

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the Twentieth Parliament of the United Kingdom of Great Britain and Ireland: Amended to the Opening of the Third Session on the 9th Day of February, 1871.

BEDFORD COUNTY.

Francis Charles Hastings Russell,
Richard Thomas Gilpin.

BEDFORD.

James Howard,
Samuel Whitbread.

BERKS COUNTY.

Robert Loyd-Lindsay,
Richard Benyon,
John Walter.

READING.

Sir Francis Henry Goldsmid, bt.,
George John Shaw Lefevre.

WINDSOR (NEW).

Roger Eykyn.

WALLINGFORD.

Stanley Vickers.

ABINGDON.

Hon. Charles Hugh Lindsay.

BUCKINGHAM COUNTY.

Caledon George Du Pre,
Rt. hon. Benjamin Disraeli,
Nathaniel Grace Lambert.

AYLESBURY.

Nathaniel Mayer de Rothschild,
Samuel George Smith.

WYCOMBE (CHEPPING).

Hon. William Henry Peregrine Carington.

BUCKINGHAM.

Sir Harry Verney, bt.

MARLOW (GREAT).

Thomas Owen Wethered.

CAMBRIDGE COUNTY.

Hon. Lord George John Manners,
Hon. Viscount Royston,
Rt. hon. Henry Bouverie William Brand.

CAMBRIDGE (UNIVERSITY).

Rt. hon. Spencer Horatio Walpole,
Alexander James Beresford Beresford Hope.

CAMBRIDGE.

Robert Richard Torrens,
William Fowler.

EAST CHESHIRE.

William John Legh,
William Cunliffe Brooks.

MID CHESHIRE.

Hon. Wilbraham Egerton,
George Cornwall Legh.

WEST CHESHIRE.

Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

MACCLESFIELD.

William Coare Brocklehurst,
David Chadwick.

STOCKPORT.

William Tipping,
John Benjamin Smith.

BIRKENHEAD.

John Laird.

CHESTER.

Henry Cecil Raikes,
Hon. Norman Grosvenor.

CORNWALL COUNTY.

(Eastern Division.)

Sir John Salusbury Trelawny, bt.,
Edward William Brydges Willyams.

(Western Division.)

John Saint Aubyn,
Arthur Pendarves Vivian.

TRURO.

Sir Frederick Martin Williams, bt.,
Hon. John Cranch Walker Vivian.

PENRYN AND FALMOUTH.

Robert Nicholas Fowler,
Edward Backhouse Eastwick.

BODMIN.

Hon. Edward Frederic Leveson-Gower.

LAUNCESTON.

Henry Charles Lopes.

LISKEARD.

Rt. hon. Edward Horsman.

HELSTON.

Adolphus William Young.

ST. IVES.

Charles Magniac.

CUMBERLAND COUNTY.

(Eastern Division.)

William Nicholson Hodgson,
Hon. Charles Wentworth George Howard.

(Western Division.)

Henry Lowther,
Hon. Percy Scawen Wyndham.

CARLISLE.

Sir Wilfrid Lawson, bt.,
Edmund Potter.

COCKERMOUTH.

Isaac Fletcher.

WHITEHAVEN.

George Augustus Frederick Cavendish Bentinck.

DERBY COUNTY.

(North Derbyshire.)

Lord George Henry Cavendish,
Augustus Peter Arkwright.

(South Derbyshire.)

Rowland Smith,
Henry Wilmot.

(East Derbyshire.)

Hon. Francis Egerton,
Hon. Henry Strutt.

DERBY.

Michael Thomas Bass,
Samuel Plimsoll.

DEVON COUNTY.

(North Devonshire.)

Rt. hon. Sir Stafford Henry Northcote, bt.,
Thomas Dyke Acland.

(East Devonshire.)

Sir Lawrence Palk, bt.,
John Henry Kennaway.

(South Devonshire.)

Sir Massey Lopes, bt.,
Samuel Trehawke Kekewich.

TIVERTON.

Hon. George Denman,
John Heathcoat-Amory.

PLYMOUTH.

Sir Robert Porrett Collier, knt.,
Walter Morrison.

BARNSTAPLE.

Thomas Cave,
Charles Henry Williams.

DEVONPORT.

John Delaware Lewis,
Montague Chambers.

TAVISTOCK.

Arthur John Edward Russell.

EXETER.

Sir John Duke Coleridge, knt.,
Edgar Alfred Bowring.

DORSET COUNTY.

Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
John Floyer

WEYMOUTH AND MELCOMBE REGIS.

Charles Joseph Theophilus Hambro,
Henry Edwards.

DORCHESTER.

Charles Napier Sturt.

BRIDPORT.

Thomas Alexander Mitchell.

SHAFTESBURY.

Hon. George Grenfell Glyn.

WAREHAM.

John Samuel Wanley Sawbridge Erle Drax.

POOLE.

Arthur Edward Guest.

DURHAM COUNTY.

(Northern Division.)

George Elliot,
Sir Hedworth Williamson, bt.

(Southern Division.)

Joseph Whitwell Pease,
Frederick Edward Blackett Beaumont.

DURHAM (CITY).

John Henderson,
John Robert Davison.

SUNDERLAND.

John Candlish,
Edward Temperley Gourley.

GATESHEAD.

Rt. hon. Sir William Hutt.

SHIELDS (SOUTH).

James Cochran Stevenson.

DARLINGTON.

Edmund Backhouse.

HARTLEPOOL.

Ralph Ward Jackson.

STOCKTON.

Joseph Dodds.

ESSEX COUNTY.

(West Essex.)

Sir Henry John Selwin-Ibbetson, bt.,
Lord Eustace Henry Brownlow Gascoyne-Cecil.

ESSEX COUNTY—*cont.*

(East Essex.)

James Round,
Samuel Brise Ruggles-Brise.

(South Essex.)

Richard Baker Wingfield Baker,
Andrew Johnston.

COLCHESTER.

William Brewer,
Alexander Learmonth.

MALDON.

Edward Hammond Bentall.

HARWICH.

Henry Jervis White-Jervis.

GLOUCESTER COUNTY.

(Eastern Division.)

Robert Stayner Holford,
Sir Michael Edward Hicks-Beach, bt.

(Western Division.)

Robert Nigel Fitzhardinge Kingscote,
Samuel Stephens Marling.

STROUD.

Sebastian Stewart Dickinson,
Henry Selfe Page Winterbotham.

TEWKESBURY.

William Edwin Price.

CIRENCESTER.

Allen Alexander Bathurst.

CHELTENHAM.

Henry Bernhard Samuelson.

GLOUCESTER.

William Philip Price,
Charles James Monk.

HEREFORD COUNTY.

Sir Joseph Russell Bailey, bt.,
Michael Biddulph,
Sir Herbert George Denman Croft, bt.

HEREFORD.

Edward Clive,
Chandos Wren-Hoskyns.

LEOMINSTER.

Richard Arkwright.

HERTFORD COUNTY.

Hon. Henry Frederick Cowper,
Henry Robert Brand,
Abel Smith.

HERTFORD.

Robert Dimsdale.

HUNTINGDON COUNTY.

Edward Fellowes,
Rt. hon. Lord Robert Montagu.

HUNTINGDON.

Thomas Baring.

KENT COUNTY.

(Eastern Division.)

Edward Leigh Pemberton,
Hon. George Watson Milles.

(West Kent.)

Charles Henry Mills,
John Gilbert Talbot.

(Mid Kent.)

William Hart Dyke,
Hon. William Archer (Amherst) Viscount Holmesdale.

ROCHESTER.

Philip Wykeham-Martin,
Julian Goldsmid.

MAIDSTONE.

James Whatman,
Sir John Lubbock, bt.

GREENWICH.

Sir David Salomons, bt.,
Rt. hon. William Ewart Gladstone.

CHATHAM.

Arthur John Otway.

GRAVESEND.

Sir Charles Wingfield.

CANTERBURY.

Henry Alexander Butler-Johnstone,
Theodore Henry Brinckman.

LANCASTER COUNTY.

(North Lancashire.)

Hon. Frederick Arthur Stanley,
Rt. hon. John Wilson-Patten.

(North-east Lancashire.)

James Maden Holt,
John Pierce Chamberlain Starkie.

LANCASTER COUNTY—*cont.*

(South-east Lancashire.)

Hon. Algernon Fulke Egerton,
John Snowdon Henry.

(South-west Lancashire.)

Charles Turner,
Richard Assheton Cross.

LIVERPOOL.

Samuel Robert Graves,
Viscount Sandon,
William Rathbone.

MANCHESTER.

Hugh Birley,
Sir Thomas Bazley, bt.,
Jacob Bright.

PRESTON.

Edward Hermon,
Sir Thomas George Fermor Hesketh, bt.

WIGAN.

Henry Woods,
John Lancaster.

BOLTON.

John Hick,
William Gray.

BLACKBURN.

Henry Master Feilden,
Edward Kenworthy Hornby.

OLDHAM.

John Tomlinson Hibbert,
John Platt.

SALFORD.

Charles Edward Cawley.
William Thomas Charley.

ASHTON-UNDER-LYNE.

Thomas Walton Mellor.

BURY.

Robert Needham Philips.

CLITHEROE.

Ralph Assheton.

ROCHDALE.

Thomas Bayley Potter.

WARRINGTON.

Peter Rylands.

BURNLEY

Richard Shaw.

STALEYBRIDGE.

James Sidebottom.

LEICESTER COUNTY.

(Northern Division.)

Rt. hon. Lord John James Robert Manners,
Samuel William Clowes.

(Southern Division.)

Albert Pell,
William Unwin Heygate.

LEICESTER.

Peter Alfred Taylor,
John Dove Harris.

LINCOLN COUNTY.

(North Lincolnshire.)

Sir Montague John Cholmeley, bt.,
Rowland Winn.

(Mid Lincolnshire.)

Weston Cracroft-Amcotts,
Henry Chaplin.

(South Lincolnshire.)

William Earle Welby,
Edmund Turnor.

GRANTHAM.

Hon. Frederick James Tollemache,
Hugh Arthur Henry Cholmeley.

BOSTON.

John Wingfield Malcolm,
Thomas Collins.

STAMFORD.

Sir John Charles Dalrymple Hay, bt.

GRIMSBY (GREAT).

George Tomline.

LINCOLN.

Charles Seely,
John Hinde Palmer.

MIDDLESEX COUNTY.

Hon. George Henry Charles (Byng) Viscount Enfield,
Lord George Francis Hamilton.

WESTMINSTER.

Hon. Robert Wellesley Grosvenor,
William Henry Smith.

TOWER HAMLETS.

Rt. hon. Acton Smee Ayrton,
Joseph D'Aguilar Samuda.

HACKNEY.

Charles Reed,
John Holms.

FINSBURY.

William Torrens M'Cullagh Torrens,
Andrew Lusk.

MARYLEBONE.

John Harvey Lewis,
Thomas Chambers.

CHELSEA.

Sir Charles Wentworth Dilke, bt.,
Sir Henry Ainslie Hoare, bt.

LONDON (UNIVERSITY).
Rt. hon. Robert Lowe.

LONDON.
Rt. hon. George Joachim Goschen,
Robert Wygram Crawford,
William Lawrence,
Baron Lionel Nathan de Rothschild.

MONMOUTH COUNTY.
Charles Octavius Swinnerton Morgan,
Poulett George Henry Somerset.

MONMOUTH.
Sir John William Ramsden, bt.

NORFOLK COUNTY.
(West Norfolk.)
Sir William Bagge, bt.,
George William Pierrepoint Bentinck.

(North Norfolk.)
Hon. Frederick Walpole,
Sir Edmund Henry Knowles Lacon, bt.

(South Norfolk.)
Edward Howes,
Clare Sewell Read.

KING'S LYNN.
Hon. Robert Bourke,
Rt. hon. Lord Claud John Hamilton.

NORWICH.
Sir William Russell, bt.,
Jacob Henry Tillett.

NORTHAMPTON COUNTY.
(Northern Division.)
Rt. hon. George Ward Hunt,
Sackville George Stopford-Sackville.

(Southern Division.)
Sir Rainald Knightley, bt.,
Fairfax William Cartwright.

PETERBOROUGH.
William Wells,
George Hammond Whalley.

NORTHAMPTON.
Charles Gilpin,
Rt. hon. Anthony Henley (Henley) Lord Henley.

NORTHUMBERLAND COUNTY.
(Northern Division.)
Rt. hon. George (Percy) Earl Percy,
Matthew White Ridley.

NORTHUMBERLAND COUNTY—*cont.*

(Southern Division.)
Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

MORPETH.
Rt. hon. Sir George Grey, bt.

TYNEMOUTH.
Thomas Eustace Smith.

NEWCASTLE-UPON-TYNE.
Rt. hon. Thomas Emerson Headlam,
Joseph Cowen.

BERWICK-UPON-TWEED.
Rt. hon. Thomas Coutts (Keppel) Viscount Bury,
John Stapleton.

NOTTINGHAM COUNTY.
(Northern Division.)
Rt. hon. John Evelyn Denison,
Frederick Chatfield Smith.

(Southern Division).
William Hodgson Barrow,
Thomas Blackborne Thoroton Hildyard.

NEWARK-UPON-TRENT.
Grosvenor Hodgkinson,
Samuel Boteler Bristowe.

RETFORD (EAST).
Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

NOTTINGHAM.
Charles Seely, jun.,
Hon. Auberon Edward William Molyneux Herbert.

OXFORD COUNTY.
Rt. hon. Joseph Warner Henley,
John Sidney North,
William Cornwallis Cartwright.

OXFORD (UNIVERSITY).
Rt. hon. Gathorne Hardy,
Rt. hon. John Robert Mowbray.

OXFORD (CITY).
Rt. hon. Edward Cardwell,
William George Granville Venables Vernon-Harcourt.

WOODSTOCK.
Henry Barnett.

BANBURY.
Bernhard Samuelson.

RUTLAND COUNTY.
Hon. Gerard James Noel,
George Henry Finch.

SALOP COUNTY.
(Northern Division.)
John Ralph Ormsby-Gore,
Hon. Orlando George Charles (Bridgeman) Viscount Newport.

(Southern Division.)
Rt. hon. Sir Percy Egerton Herbert,
Edward Corbett.

SHREWSBURY.
James Figgins,
Douglas Straight.

WENLOCK.
Rt. hon. George Cecil Weld Forester,
Alexander Hargreaves Brown.

LUDLOW.
Hon. George Herbert Windsor Windsor-Clive.

BRIDGNORTH.
William Henry Foster.

SOMERSET COUNTY.
(East Somerset.)
Ralph Shuttleworth Allen,
Richard Bright.

(Mid Somerset.)
Ralph Neville-Grenville,
Richard Horner Paget.

(West Somerset.)
William Henry Powell Gore-Langton,
Hon. Arthur Wellington Alexander Nelson Hood.

BATH.
Sir William Tite, bt.,
Donald Dalrymple.

TAUNTON.
Alexander Charles Barclay,
Henry James.

BRIDGWATER.

FROME.
Thomas Hughes.

BRISTOL.
Samuel Morley,
Kirkman Daniel Hodgson.

SOUTHAMPTON COUNTY.

(Northern Division.)

William Wither Bramston Beach,
George Sclater-Booth.

(Southern Division.)

Rt. hon. William Francis Cowper-Temple,
Lord Henry John Montagu-Douglas-Scott.

WINCHESTER.

William Barrow Simonds,
John Bonham-Carter.

PORTSMOUTH.

Sir James Dalrymple-Horn-Elphinstone, bt.,
William Henry Stone.

LYMINGTON.

Hon. Lord George Charles Gordon Lennox.

ANDOVER.

Hon. Dudley Francis Fortescue.

CHRISTCHURCH.

Edmund Haviland Burke.

PETERSFIELD.

William Nicholson.

SOUTHAMPTON.

Rt. hon. Russell Gurney,
Peter Merrik Hoare.

STAFFORD COUNTY.

(North Staffordshire.)

Rt. hon. Sir Charles Bowyer Adderley,
Sir Edward Manningham Buller, bt.

(West Staffordshire.)

Sir Smith Child, bt.,
Hugo Francis Meynell Ingram.

(East Staffordshire.)

Michael Arthur Bass,
John Robinson M'Clean.

STAFFORD.

Hon. Reginald Arthur James Talbot,
Thomas Salt.

TAMWORTH.

Rt. hon. Sir Robert Peel, bt.,
Rt. hon. Sir Henry Lytton Bulwer, knt.

NEWCASTLE-UNDER-LYME.

Sir Edmund Buckley, bt.,
William Shepherd Allen.

WOLVERHAMPTON.

Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

STOKE-UPON-TRENT.

George Melly,
William Sargeant Roden.

WALSALL.

Charles Forster.

WEDNESBURY.

Alexander Brogden.

LICHFIELD.

Richard Dyott.

SUFFOLK COUNTY.

(Eastern Division.)

Frederick Snowden Corrance,
Hon. Arthur Philip Henry (Stanhope) Viscount Mahon.

(Western Division.)

Windsor Parker,
Hon. Lord Augustus Henry Charles Hervey.

IPSWICH.

Hugh Edward Adair,
Henry Wyndham West.

BURY ST. EDMUNDS.

Edward Greene,
Joseph Alfred Hardcastle.

EYE.

Rt. hon. George William (Barrington) Viscount Barrington.

SURREY COUNTY.

(East Surrey.)

Hon. Peter John Locke King,
Charles Buxton.

(Mid Surrey.)

Henry William Peek,
Sir Richard Baggallay, knt.

(West Surrey.)

George Cubitt,
Lee Steere.

SOUTHWARK.

John Locke,
Marcus Beresford.

LAMBETH.

Sir James Clarke Lawrence, bt.,
William McArthur.

GUILDFORD.

Guildford James Hillier Onslow.

SUSSEX COUNTY.

(Eastern Division.)

John George Dodson,
George Burrow Gregory.

(Western Division.)

Walter Barttelot Barttelot,
Hon. Charles Henry (Gordon Lennox) Earl of March.

SHOREHAM (NEW).

Rt. hon. Stephen Cave,
Sir Percy Burrell, bt.

BRIGHTHELMSTONE.

James White,
Henry Fawcett.

CHICHESTER.

Hon. Lord Henry George Charles Gordon Lennox.

LEWES.

Hon. Walter John (Pelham) Lord Pelham.

HORSHAM.

Robert Henry Hurst,

MIDHURST.

William Townley Mitford.

WARWICK COUNTY.

(Northern Division.)

Charles Newdigate Newdegate,
William Bromley Davenport.

(Southern Division.)

Henry Christopher Wise,
John Hardy.

BIRMINGHAM.

Rt. hon. John Bright,
George Dixon,
Philip Henry Muntz.

WARWICK.

Arthur Wellesley Peel,
Edward Greaves.

COVENTRY.

Henry William Eaton,
Alexander Staveley Hill.

WESTMORELAND COUNTY.

Rt. hon. Thomas (Taylour) Earl of Bective,
William Lowther.

KENDAL.

John Whitwell.

(WIGHT) ISLE OF.

Alexander Dundas Wishart Ross Baillie Cochrane.

NEWPORT, ISLE OF WIGHT.

Charles Cavendish Clifford.

WILTS COUNTY.

(Northern Division.)

Sir George Samuel Jenkinson, bt.,
Hon. Lord Charles William Brudenell-Bruce.

(Southern Division.)

Hon. Lord Henry Frederick Thynne,
Thomas Fraser Grove.

NEW SARUM (SALISBURY.

John Alfred Lush,
Alfred Seymour.

CRICKLADE.
Sir Daniel Gooch, bt.,
Hon. Frederick William Cadogan.

DEVIZES.
Sir Thomas Bateson, bt.

MARLBOROUGH.
Rt. hon. Lord Ernest Augustus Charles Brudenell-Bruce.

CHIPPENHAM.
Gabriel Goldney.

CALNE.
Lord Edmond Fitzmaurice.

MALMESBURY.
Walter Powell.

WESTBURY.
Charles Paul Phipps.

WILTON.
Sir Edmund Antrobus, bt.

WORCESTER COUNTY.
(Eastern Division.)
Richard Paul Amphlett,
Hon. Charles George Lyttelton.

(Western Division.)
Frederick Winn Knight,
William Edward Dowdeswell.

EVESHAM.
James Bourne.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

BEWDLEY.
Hon. Augustus Henry Archibald Anson.

DUDLEY.
Henry Brinsley Sheridan.

KIDDERMINSTER.
Thomas Lea.

WORCESTER.
William Laslett,
Alexander Clunes Sherriff.

YORK COUNTY.
(North Riding.)
Hon. Octavius Duncombe,
Frederick Acclom Milbank.

(East Riding.)
Christopher Sykes,
William Henry Harrison Broadley.

(West Riding, Northern Division.)
Sir Francis Crossley, bt.,
Hon. Lord Frederick Charles Cavendish.

(West Riding, Eastern Division.)
Christopher Beckett Denison,
Joshua Fielden.

YORK COUNTY—*cont.*
(West Riding, Southern Division.)
Hon. William (Wentworth-FitzWilliam) Viscount Milton,
Henry Frederick Beaumont.

LEEDS.
Edward Baines,
Robert Meek Carter,
William Saint - James Wheelhouse.

BEVERLEY.

PONTEFRACT.
Rt. hon. Hugh Culling Eardley Childers,
Samuel Waterhouse.

SCARBOROUGH.
John Dent Dent,
Sir Harcourt Johnstone, bt.

SHEFFIELD.
George Hadfield,
Anthony John Mundella.

BRADFORD.
Rt. hon. William Edward Forster,
Edward Miall.

HALIFAX.
Rt. hon. James Stansfeld,
Edward Akroyd.

KNARESBOROUGH.
Alfred Illingworth.

MALTON.
Hon. Charles William Wentworth-Fitzwilliam.

RICHMOND.
Sir Roundell Palmer, knt.

RIPON.

HUDDERSFIELD.
Edward Aldam Leatham.

THIRSK.
Sir William Payne Gallwey, bt.

NORTHALLERTON.
John Hutton.

WAKEFIELD.
Somerset Archibald Beaumont.

WHITBY.
William Henry Gladstone.

YORK CITY.
James Lowther,

MIDDLESBOROUGH.
Henry William Ferdinand Bolckow.

DEWSBURY.
John Simon.

KINGSTON-UPON-HULL.
Charles Morgan Norwood,
James Clay.

BARONS OF THE CINQUE PORTS.

DOVER.
Alexander George Dickson,
George Jessel.

HASTINGS.
Thomas Brassey,
Ughtred James Kay-Shuttleworth.

SANDWICH.
Edward Hugessen Knatchbull-Hugessen,
Henry Arthur Brassey.

HYTHE.
Baron Mayer Amschel de Rothschild.

RYE.
John Stewart Hardy.

WALES.

ANGLESEA COUNTY.
Richard Davies.

BEAUMARIS.
Hon. William Owen Stanley.

BRECKNOCK COUNTY.
Hon. Godfrey Charles Morgan.

BRECKNOCK.
James Price Gwynne Holford.

CARDIGAN COUNTY.
Evan Mathew Richards.

CARDIGAN, &c.
Sir Thomas Davies Lloyd, bt.

CARMARTHEN COUNTY.
Edward John Sartoris,
John Jones.

CARMARTHEN, &c.
John Stepney Cowell-Stepney.

CARNARVON COUNTY.
Thomas Love Duncombe Jones-Parry.

CARNARVON, &c.
William Bulkeley Hughes.

DENBIGH COUNTY.
Sir Watkin Williams Wynn, bt.,
George Osborne Morgan.

DENBIGH, &c.
Watkin Williams.

FLINT COUNTY.
Hon. Lord Richard de Aquila Grosvenor.

FLINT, &c.
Sir John Hanmer, bt.

GLAMORGAN COUNTY.

Christopher Rice Mansel Talbot,
Henry Hussey Vivian.
MERTHYR TYDVIL.
Henry Richard,
Richard Fothergill.
CARDIFF, &c.
James Frederick Dudley Crichton-Stuart.
SWANSEA, &c.
Lewis Llewelyn Dillwyn.

MERIONETH COUNTY.

Samuel Holland.

MONTGOMERY COUNTY.

Charles Watkin Williams Wynn.
MONTGOMERY.
Hon. Charles Douglas Richard Hanbury-Tracy.

PEMBROKE COUNTY.

John Henry Scourfield.
PEMBROKE.
Thomas Meyrick.
HAVERFORDWEST.
Hon. William Edwardes.

RADNOR COUNTY.

Hon. Arthur Walsh.
NEW RADNOR.
Rt. hon. Spencer Compton (Cavendish) Marquess of Hartington.

SCOTLAND.

ABERDEEN.
(East Aberdeenshire.)
William Dingwall Fordyce.
(West Aberdeenshire.)
William McCombie.
ABERDEEN.
William Henry Sykes.
ARGYLE.
Most noble John Douglas Sutherland (Campbell) Marquess of Lorne.
AYR.
(North Ayrshire.)
William Finnie.
(South Ayrshire.)
Sir David Wedderburn, bt.
KILMARNOCK, RENFREW, &c.
Rt. hon. Edward Pleydell Bouverie.
BURGHS OF AYR, &c.
Edward Henry John Craufurd.
BANFF.
Robert William Duff.
BERWICK.
David Robertson.
BUTE.
Charles Dalrymple.
CAITHNESSSHIRE.
Sir John George Tollemache, Sinclair, bt.
WICK, KIRKWALL, &c.
George Loch.
CLACKMANNAN AND KINROSS.
William Patrick Adam.
DUMBARTON.
Archibald Orr Ewing.
DUMFRIESSHIRE.
George Gustavus Walker
DUMFRIES, &c.
Robert Jardine.
EDINBURGHSHIRE.
Sir Alexander Charles Ramsay Gibson-Maitland, bt.
EDINBURGH.
Duncan McLaren,
John Miller.
UNIVERSITIES OF EDINBURGH AND ST. ANDREWS.
Lyon Playfair.
BURGHS OF LEITH, &c.
Robert Andrew Macfie.
ELGIN AND NAIRN.
Hon. James Grant.
BURGHS OF ELGIN, &c.
Mountstuart Elphinstone Grant Duff.
FIFE.
Sir Robert Anstruther, bt.
BURGHS OF ST. ANDREWS.
Edward Ellice.
KIRKCALDY, DYSART, &c.
Roger Sinclair Aytoun.
FORFAR.
Hon. Charles Carnegie.
TOWN OF DUNDEE.
George Armitstead,
Sir John Ogilvy, bt.
MONTROSE, &c.
William Edward Baxter.
HADDINGTON.
Hon. Francis Wemyss (Charteris) Lord Elcho.
HADDINGTON BURGHS.
Sir Henry Robert Ferguson Davie, bt.
INVERNESS.
Donald Cameron.
INVERNESS, &c.
Eneas William Mackintosh.
KINCARDINESHIRE.
James Dyce Nicol.
KIRKCUDBRIGHT.
Wellwood Herries Maxwell.
LANARK.
(North Lanarkshire.)
Sir Thomas Edward Colebrooke, bt.
(South Lanarkshire.)
John Glencairn Carter Hamilton.
GLASGOW.
Robert Dalglish,
William Graham,
George Anderson.
UNIVERSITIES OF GLASGOW AND ABERDEEN.
Edward Strathearn Gordon
LINLITHGOW.
Peter McLagan.
ORKNEY AND SHETLAND.
Frederick Dundas.
PEEBLES AND SELKIRK.
Sir Graham Graham Montgomery, bt.
PERTH.
Charles Stuart Parker.
TOWN OF PERTH.
Hon. Arthur FitzGerald Kinnaird.
RENFREWSHIRE.
Rt. hon. Henry Austin Bruce.
PAISLEY.
Humphrey Ewing Crum-Ewing.
GREENOCK.
James Johnstone Grieve.
ROSS AND CROMARTY.
Alexander Matheson.
ROXBURGH.
Most noble James Henry Robert (Innes-Ker) Marquess of Bowmont.
HAWICK, SELKIRK, &c.
George Otto Trevelyan.
STIRLING.
John Elphinstone Erskine.
STIRLING, &c.
Henry Campbell.
LINLITHGOW, LANARK, &c.
James Merry.
SUTHERLAND.
Rt. hon. Lord Ronald Sutherland Leveson-Gower.
WIGTON.
Hon. Alan Plantagenet (Stewart) Lord Garlies.
WIGTON, &c.
George Young.

IRELAND.

ANTRIM COUNTY.
Hon. Edward O'Neill,
Hugh de Grey Seymour.
BELFAST.
William Johnston,
Thomas McClure.
LISBURN.
Edward Wingfield Verner.
CARRICKFERGUS.
Marriott Robert Dalway.
ARMAGH COUNTY.
Sir James Matthew Stronge, bt.,
William Verner.

ARMAGH (CITY).
John Vance.

CARLOW COUNTY.
Henry Bruen,
Arthur MacMurrough Kavanagh.

CARLOW (BOROUGH).
William Addis Fagan.

CAVAN COUNTY.
Hon. Hugh Annesley,
Edward Saunderson.

CLARE COUNTY.
Crofton Moore Vandeleur,
Rt. hon. Sir Colman Michael O'Loghlen, bt.

ENNIS.
William Stacpoole.

CORK COUNTY.
McCarthy Downing,
Arthur Hugh Smith Barry.

BANDON BRIDGE.
William Shaw.

YOUGHAL.
Montague John Guest

KINSALE.
Sir George Conway Colthurst, bt.

MALLOW.
George Waters.

CORK (CITY).
John Francis Maguire,
Nicholas Daniel Murphy.

DONEGAL COUNTY.
Thomas Conolly,
Hon. James (Hamilton) Marquess of Hamilton.

DOWN COUNTY.
Hon. Lord Arthur Edwin Hill-Trevor,
William Brownlow Forde.

NEWRY.
Hon. Francis Charles (Needham) Viscount Newry.

DOWNPATRICK.
William Keown.

DUBLIN COUNTY.
Rt. hon. Thomas Edward Taylor,
Ion Trant Hamilton.

DUBLIN (CITY).
Jonathan Pim,
Sir Dominic J. Corrigan, bt.

DUBLIN UNIVERSITY.
Rt. hon. John Thomas Ball,
Hon. David Robert Plunket.

FERMANAGH.
Mervyn Edward Archdall,
Hon. Henry Arthur Cole.

ENNISKILLEN.
John Henry (Crichton) Viscount Crichton.

GALWAY COUNTY.
William Henry Gregory,

GALWAY (BOROUGH).
William Ulick Tristram (St. Lawrence) Viscount St. Lawrence,
Sir Rowland Blennerhassett, bt.

KERRY.
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse,
Henry Arthur Herbert.

TRALEE.
Daniel O'Donoghue, (The O'Donoghue).

KILDARE.
Rt. hon. William Henry Ford Cogan,
Rt. hon. Lord Otho Augustus Fitz-Gerald.

KILKENNY.
George Leopold Bryan,
Hon. Leopold G. F. Agar-Ellis.

KILKENNY (CITY).
Sir John Gray, knt.

KING'S COUNTY.
Sir Patrick O'Brien, bt.,
David Sherlock.

LEITRIM COUNTY.
William Richard Ormsby-Gore,
John Brady.

LIMERICK COUNTY.
Rt. hon. William Monsell,
Edmund John Synan.

LIMERICK (CITY).
George Gavin,
Francis William Russell.

LONDONDERRY COUNTY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

COLERAINE.
Sir Henry Hervey Bruce, bt.

LONDONDERRY (CITY).
Richard Dowse.

LONGFORD COUNTY.
Myles William O'Reilly,
Hon. George Frederick Nugent Greville-Nugent.

LOUTH COUNTY.
Rt. hon. Chichester Samuel Parkinson Fortescue,
Matthew O'Reilly-Dease.

DUNDALK.
Philip Callan.

DROGHEDA.
Thomas Whitworth.

MAYO COUNTY.
Hon. George (Bingham) Lord Bingham,
George Ekins Browne.

MEATH COUNTY.
Edward MacEvoy,
John Martin.

MONAGHAN COUNTY.
Charles Powell Leslie,
Sewallis Evelyn Shirley.

QUEEN'S COUNTY.
Kenelm Thomas Digby,
Edmund Dease.

PORTARLINGTON.
Hon. Lionel Seymour William Dawson-Damer.

ROSCOMMON COUNTY.
Rt. hon. Fitzstephen French,
Charles Owen O'Conor (The O'Conor Don).

SLIGO COUNTY.
Denis Maurice O'Conor,
Sir Robert Gore Booth, bt.

SLIGO (BOROUGH).

TIPPERARY COUNTY.
Hon. Charles White,
Denis Caulfield Heron.

CASHEL.

CLONMEL.
John Bagwell.

TYRONE COUNTY.
Rt. hon. Henry Thomas Lowry-Corry,
Rt. hon. Lord Claud Hamilton.

DUNGANNON.
Hon. William Stuart Knox.

WATERFORD COUNTY.
Sir John Esmonde, bt.
Edmond de la Poer.

DUNGARVAN.
Henry Matthews.

WATERFORD (CITY).
James Delahunty,
Ralph Osborne.

WESTMEATH COUNTY.
William Pollard-Urquhart,
Hon. Algernon William Fulke Greville.

ATHLONE.
John James Ennis.

WEXFORD COUNTY.
Matthew Peter D'Arcy,
John Talbot Power.

WEXFORD (BOROUGH).
Richard Joseph Devereux.

NEW ROSS.
Patrick McMahon.

WICKLOW COUNTY.
William Wentworth Fitzwilliam Dick,
Hon. Henry William Wentworth Fitzwilliam.

HANSARD'S
PARLIAMENTARY DEBATES,

IN THE

THIRD SESSION OF THE *TWENTIETH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 10 DECEMBER, 1868, AND THENCE
CONTINUED TILL 9 FEBRUARY, 1871, IN THE THIRTY-
FOURTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, 9th February, 1871.

THE PARLIAMENT, which had been Prorogued successively from the 10th day of August, 1870, thence to the 27th day of October, thence to the 13th day of December, thence to the 17th day of January, 1871, thence to the 9th day of February; met this day for Despatch of Business.

The Session of PARLIAMENT was opened by THE QUEEN in Person.

THE QUEEN'S SPEECH.

HER MAJESTY, being seated on the Throne, adorned with Her Crown and Regal Ornaments, and attended by Her Officers of State:—The PRINCE OF WALES (in his Robes) sitting in his Chair on HER MAJESTY'S right hand—(the Lords being in their Robes)—commanded the Gentleman Usher of the Black Rod, through the Deputy Lord Great Chamberlain, to let the Commons know "It is Her Majesty's Pleasure they attend Her immediately, in this House."

Who being come, with their Speaker;

The LORD CHANCELLOR, taking Directions from HER MAJESTY, said—

"*My Lords, and Gentlemen,*

"AT an epoch of such moment to the future fortunes of Europe, I am especially desirous to avail myself of your counsels.

"The war which broke out, in the month of July, between France and Germany, has raged, until within the last few days, with unintermitted and likewise with unexampled force: and its ravages may be renewed, after but a few days more, unless moderation and forethought, prevailing over all impediments, shall sway the councils of both the parties, whose well-being is so vitally concerned.

"At the time when you separated, I promised a constant attention to the subject of neutral obligations; and I undertook to use my best endeavours to prevent the enlargement of the area of the war, and to contribute, if opportunity should offer, to the restoration of an early and honourable peace.

"In accordance with the first of these declarations, I have maintained the rights and strictly discharged the duties of neutrality.

"The sphere of the war has not been extended beyond the two countries originally engaged.

"Cherishing with care the cordiality of my relations with each belligerent, I have forborne from whatever might have been construed as gratuitous or unwarranted interference between parties, neither of whom had shown a readiness to propose terms of accommodation such as to bear promise of acceptance by the other.

"I have been enabled, on more than one occasion, to contribute towards placing the Representatives of the two contending countries in confidential communication: but, until famine compelled the surrender of Paris, no further result had been obtained.

"The Armistice now being employed for the Convocation of an Assembly in France, has brought about a pause in the constant accumulation, on both sides, of human suffering; and has rekindled the hope of a complete accommodation. I pray that this suspension may result in a Peace compatible, for the two great and brave nations involved, with security and with honour, and likely therefore to command the approval of Europe, and to give reasonable hopes of a long duration.

"It has been with concern that I have found myself unable to accredit My Ambassador in a formal manner to the Government of Defence, which has subsisted in France since the revolution of September; but neither the harmony nor the efficiency of the correspondence of the two States has been in the smallest degree impaired.

"The King of Prussia has accepted the title of Emperor of Germany at the instance of the chief authorities of the nation.

"I have offered My congratulations on an event, which bears testimony to the solidity and independence of Germany, and which, I trust, may be found conducive to the stability of the European system.

"I have endeavoured, in correspondence with other Powers of Europe, to uphold the sanctity of Treaties, and to remove any misapprehension as to the binding character of their obligations.

"It was agreed by the Powers, which had been parties to the Treaty of 1856, that a Conference should meet in London. This Conference has now been for some time engaged in its labours; and I confidently trust that the result of its deliberations will be to uphold both the principles of public right and the general policy of the Treaty, and, at the same time, by the revision of some of its conditions in a fair and conciliatory spirit, to exhibit a cordial co-operation among the Powers with regard to the Levant.

"I greatly regret that my earnest efforts have failed to procure the presence at the Conference of any Representative of France, which was one of the chief parties to the Treaty of 1856, and which must ever be regarded as a principal and indispensable Member of the great Commonwealth of Europe.

"At different times, several questions of importance have arisen, which are not yet adjusted, and which materially affect the relations between the United States and the territories and people of British North America. One of them in particular, which concerns the Fisheries, calls for early settlement; lest the possible indiscretion of individuals should impair the neighbourly understanding, which it is on all grounds so desirable to cherish and maintain. I have therefore engaged in amicable communications with the President of the United States. In order to determine the most convenient mode of treatment for these matters, I have suggested the appointment of a joint Commission; and I have agreed to a proposal of the President, that this Commission shall be authorized at the same time, and in the same manner, to resume the consideration of the American claims growing out of the circumstances of the late war. This arrangement will, by common consent, include all claims for compensation which have been, or may be made by each Government, or by its citizens, upon the other.

"The establishment of a Prince of the House of Savoy on the Throne of Spain, by the free choice of the popularly-elected representatives of the Spanish nation, will, I trust, insure for a country which has passed with so much temperance and self-control through a prolonged and trying crisis, the blessings of a stable Government.

"I am unhappily not able to state that the inquiry which was instituted by the Government of Greece into the history of the shocking murders perpetrated during the last spring at Dilessi has reached a termination answerable in all respects to My just expectations, but I shall not desist from My endeavours to secure the complete attainment of the objects of the inquiry. Some valuable results, however, have in the meantime been obtained, for the exposure and the repression of a lawless and corrupting system, which has too long afflicted the Greek Peninsula.

"The anxiety which the massacre at Tien-tsin on the 21st of June last called forth has happily been dispelled; and while it will be My earnest endeavour to provide for the security of My Subjects and their trade in those remote quarters, I count on your concurrence in the policy that I have adopted of recognizing the Chinese Government as entitled to be dealt with in its relations with this country in a conciliatory and forbearing spirit.

"The Parliamentary recess has been one of anxious interest in regard to foreign affairs. But I rejoice to acquaint you that my relations are, as heretofore, those of friendship and good understanding with the Sovereigns and States of the civilized world.

"Papers illustrative of the conduct of My Government in relation to the several matters, on which I have now summarily touched, will be duly laid before you.

"In turning to domestic affairs, I have first to inform you that I have approved of a marriage between my daughter Princess Louise and the Marquis of Lorne, and I have declared my consent to this union in Council.

"*Gentlemen of the House of Commons*,

"The revenue of the country flourishes, and the condition of trade and industry may, though with partial drawbacks, be declared satisfactory.

"The estimates for the coming year will be promptly laid before you.

"*My Lords, and Gentlemen*,

"The lessons of military experience afforded by the present war have been numerous and important.

"The time appears appropriate for turning such lessons to account by efforts more decisive than heretofore at practical improvement. In attempting this you will not fail to bear in mind the special features in the position of this country, so favourable to the freedom and security of the people, and if the changes from a less to a more effective and elastic system of defensive military preparation shall be found to involve, at least for a time, an increase of various charges, your prudence and patriotism will not grudge the cost, as long as you are satisfied that the end is important, and the means judicious. No time will be lost in laying before you a Bill for the better regulation of the army and the auxiliary land forces of the Crown, and I hardly need commend it to your anxious and impartial consideration.

"I trust that the powerful interest at present attaching to affairs abroad, and to military questions, will not greatly abate the energy with which you have heretofore applied yourselves to the work of general improvement in our domestic legislation.

"I commend anew to your attention several measures on subjects which I desired to be brought before you during the last Session of Parliament, but which the time remaining at your disposal, after you had dealt with the principal subjects of the year, was not found sufficient to carry to a final issue.

"I refer especially to the Bills on Religious Tests in the Universities of Oxford and Cambridge, on Ecclesiastical Titles, on the Disabilities of Trade Combinations, on the Courts of Justice and Appeal, on the Adjustment of Local Burdens, and on the Licensing of Houses for the Sale of Intoxicating Liquors.

"The inquiry made by a Committee of the Commons House being now complete, a measure will be placed before you on an early day for the establishment of Secret Voting.

"A proposal is anxiously expected in Scotland for the adjustment of the question of primary education. With reference to the training of the young in schools on a national scale and basis, that portion of the country has especial claims on the favourable consideration of Parliament: and I trust the year may not pass by without your having disposed of this question by the enactment of a just and effective law.

"The condition of Ireland with reference to agrarian crime has, in general, afforded a gratifying contrast with the state of that island in the preceding winter; but there have been painful though very partial exceptions.

"To secure the best results for the great measures of the two last Sessions which have so recently passed into operation, and which involve such direct and pressing claims upon the attention of all classes of the community, a period of calm is to be desired; and I have thought it wise to refrain from suggesting to you at the present juncture the discussion of any political question likely to become the subject of new and serious controversy in that country.

"The burdens devolving upon you as the great Council of the nation, and of this ancient and extended Empire, are, and must long continue to be, weighty. But you labour for a country whose laws and institutions have stood the test of time, and whose people, earnestly attached to them, and desiring their continuance, will unite with their Sovereign in invoking upon all your designs the favour and aid of the Most High."

Then HER MAJESTY retired.

Then the Commons withdrew.

ROLL OF THE LORDS—Garter King of Arms attending, *delivered* at the Table (in the usual manner) a List of the Lords Temporal in the Third Session of the Twentieth Parliament of the United Kingdom: The same was ordered to lie on the Table.

William Gordon Cornwallis Eliot, esquire (commonly called Lord Eliot), eldest son and heir apparent of Edward Granville Earl of Saint Germans, having received Her Majesty's Writ to summon him to sit in this present Parliament as Baron Eliot—Was (in the usual manner) introduced.

The Marquess of Hertford—Sat first in Parliament after the death of his cousin.

The Marquess of Cholmondeley—Sat first in Parliament after the death of his brother.

The Lord Gwydir—Sat first in Parliament after the death of his uncle.

The Lord Brodrick—Sat first in Parliament after the death of his father.

SELECT VESTRIES.

Bill, *pro formâ*, read 1^a.

THE QUEEN'S SPEECH having been *reported* by The LORD CHANCELLOR;—

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

THE MARQUESS OF WESTMINSTER: My Lords, I have the honour to move an Address in reply to Her Majesty's most gracious Speech which has just been read from the Throne:—and as I have not been long a Member of your Lordships' House, and have not hitherto ventured to take part in its debates, I crave that indulgence which your Lordships never refuse to any under similar circumstances. I have been sent to the front as a skirmisher by the noble Earl (Earl Granville), who commands the forces on this side the House—I presume to feel for an enemy—and as the countenance of my noble Friend the Leader of the Opposition (the Duke of Richmond) does not denote hostility to anything or anybody, I may perhaps be bold enough to count, if not upon his concurrence in all that I have to move, at all events upon his "benevolent neutrality." It is a matter of the highest gratification to your Lordships that Her Majesty should have come down to the House of Lords and have opened in Person a Session which promises to be at any rate not less eventful than those which have preceded it. The political atmosphere as well as the natural atmosphere has been, and is, very overcast and lowering. Light is as necessary to the political world as to the physical, and we are therefore glad to have been enlivened by Her Majesty's presence here to-day, hoping for a repetition of it on many future occasions. Her Majesty has announced to you—as you were before aware—that She has given Her consent to the marriage of Her illustrious daughter the Princess Louise with the Marquess of Lorne, and I am quite sure that your Lordships will heartily join your congratulations to those of the nation on this very auspicious event. Her Majesty has already given three daughters to Germany; but, although it cannot be doubted that after their experience of those fair daughters of England who have become members by marriage of their most illustrious Houses, the Germans would have readily welcomed a fourth, that fourth daughter is destined for Scotland. Your Lordships, I am sure, will join with me in expressing a hope that the union of so much sterling worth and such rare accomplishments may be attended with every possible happiness—that it may be the commencement of a long career of no common usefulness, and which shall for many years be a subject of pride and affection on the part of the country.

My Lords, it must be matter for deep regret that—differing from any Speeches from the Throne which we have heard of late years—there should be in this Speech so many topics of absorbing and painful interest to occupy your attention; but before I advert to these, if you will allow me, I will touch upon a few matters which, if not so exciting as those connected with foreign affairs, are nevertheless of the highest importance to the people of this country. I may advert for a moment to a very important measure, passed last Session, of which your Lordships have had considerable experience during the Recess—I mean the Education Act. Your Lordships are already able in some degree to judge of its operations by having witnessed the great efforts that have already been made for its organization and for the building of schools. I only hope that the advocates of secular education and compulsory attendance will allow a fair period for testing the efficacy of the voluntary efforts which are now being put forth, and that they will wait until it is proved that those efforts are inadequate to meet the emergency before they press their own stronger measures. This brings me to a subject which I am happy to see has obtained a place in the Royal Speech, and which is of the utmost importance in every consideration of the well-being of the country. I allude to the sale of intoxicating liquors. It is often said—"You cannot make men sober by Act of Parliament;" but I believe that the opposite system—or what may be called free trade in drink—such as was tried in Liverpool for five years—would have the most disastrous effect, and that experience has shown that a restrictive system has been productive of more or less good. I will not trouble your Lordships with elaborate statistics; but I may state that the number of persons arrested annually as drunk and disorderly amounts, it has been stated, to 1 in every 180 of the population—that the annual value of the alcoholic liquors consumed in the United Kingdom amounts to the enormous sum of £88,000,000, and that there is a house licensed for the sale of beer or spirits for every 45 males in the United Kingdom. These facts and figures are deserving of consideration, and no part of the Speech from the Throne has given me greater satisfaction than that which holds out a prospect of checking the great evil of intemperance. Your Lordships are not supposed to know anything of elections — and, perhaps, you do not —but some of you have pleasant or unpleasant reminiscences of elections in a previous state of existence. Election experiences are not usually regarded as passages in one's life to which it is very agreeable to look back, and your Lordships will certainly agree with me in thinking that elections may be made purer, cheaper, and certainly quieter. A Committee appointed in "another place" has gone fully into the subject, and has recommended certain measures as remedies for the evils complained of. Amongst these remedies is the Ballot, which at one time was one of "the Five Points of the Charter," and excited considerable agitation. It has been brought forward year after year in the House of Commons, and has been frequently defeated and sometimes successful. Public opinion, however, is now strong in its favour, and the experience of its operation in our Australian Colonies, in Italy, and in America has abundantly proved, in the opinion of the Committee, that while some objections to the system undoubtedly exist, they are more than counterbalanced by its advantages; and I hope, therefore, your Lordships may be induced to adopt it. The old objections commonly urged by Lord Palmerston and others that the suffrage was a public trust, and that those who had no vote were, therefore, entitled to know how the electors discharged that trust, has lost much of its force since the passing of the last Reform Act, by which the franchise was so much extended that the number of those excluded was immensely reduced; while the number of those admitted to the franchise, who by reason of their poverty were open to temptation by bribes, was very greatly extended. I think that no measure introduced on this subject will be complete without provision for the closing of public-houses during the critical time of elections, for the prohibition, as I hope, of canvassing, and for the abolition of public nominations. With regard to another Bill mentioned in the Speech relating to University Tests, the object of which is to enable persons not belonging to the Church of England to become Fellows of Colleges and members of the Governing Body, public opinion has expressed itself strongly in favour of the repeal of these tests; and although the divisions in the other House during the last Session were three to one in favour of the measure proposing such repeal, that Bill was virtually defeated in this House at the instance and by the action of the noble Marquess (the Marquess of Salisbury), the Chancellor of the University of Oxford, on the plea that the safeguards provided by the Bill for insuring the religious character of the Universities were inadequate. I am not aware what action was taken by the Select Committee to which the Bill was consequently referred; but the measure was practically shelved for the Session. Its re-introduction is now announced, and as the crowning point of the legislation on the question, which has already been approved by your Lordships, I trust you will adopt it as a logical sequence. In any case, I hope that the noble Marquess will endeavour to take any action in the matter he may propose at an earlier period than at the end of the Session, when there is no time for a Committee to carry out an inquiry.

My Lords, there is another point connected with our home affairs, mentioned in the Speech from the Throne, on which I desire to remark—the organization of our Army—a matter in which, as many believe, the very existence of the nation is involved. There seem to be many reasons in favour of a full consideration of the subject at the present time. The two great measures relating to Ireland and the Education Bill having been disposed of, time and opportunity happily enable us to consider this question. There is a conviction in the minds of men of all parties that our organization is defective and our armaments weak as regard reserves, supply, artillery, and arsenals. The spirit of the people is all that could be desired; it is admitted that we have the best artillery in the world—that in power of production we are unrivalled—and, added to these favourable circumstances is the fact that we have a strong Government which—I say it with all deference to the opinion of noble Lords opposite—commands such a majority both in the other House and in the country, as to be able, as I am sure they are willing, to carry any measures which would be satisfactory to the country. It is true that against these advantages are to be set the Parliamentary difficulties and jealousies which always beset the question of Army reform—that there are some hon. Members who are pledged to cut down the Estimates at whatever cost; and that there are too frequent changes in the heads of the War Office—one of the most important points. In a clever article in *Macmillan* for October the qualifications for a War Minister were stated to be these—that he must be a statesman, yet a soldier; an able speaker, yet intimately acquainted with the details of the Army and its requirements; that he must be firm, yet conciliatory; and, above all, that he must remain a sufficiently long time in Office to be able to carry out his plans. The article went on to speak of the difficulty of finding such a man. I believe, however, that Her Majesty's Government are strong enough to surmount all these difficulties. There seems to be a concurrence of opinion—but in saying this I wish to guard myself against being supposed to know anything of the details of the measure about to be proposed—but there seems to be a strong feeling in favour of making a real reserve of the Militia. The problem to be solved appears to be the training in time of peace of a large body of men in such a manner that, in the event of war, they would be available to fill up the ranks of the regular Army. Opinion appears likewise to be in favour of increasing our artillery and completing and properly arming our forts and arsenals. The question, in fact, is not so much a question of increased numbers as of the superior organization and efficiency of the force we already possess. In carrying out measures of this kind, some increase of expenditure will, of course, be necessary; but this the country will accept with the view of averting far heavier sacrifices. It is not for me to give an opinion on compulsory service, which, however, is advocated by men of the greatest eminence in the profession; nor will I touch upon the commissariat, the equipment of the Army, the purchase system, and other matters all deserving of attention. Being, like many of your Lordships, a sort of half soldier, I am perhaps *ipso facto* disentitled to give any opinion on military matters; but I may be permitted, with propriety, to remark that in the Volunteers we have excellent material and a very loyal and patriotic force, armed with excellent weapons. Engaged as the greater number of our Volunteers are in business, it is unreasonable to expect any large amount of drill from them; but still I believe you might get a larger amount of drill from them than you now do; and if you do that, and give them officers who have learnt their duty by actual practice in the field, the Volunteers may be made a valuable line of defence within the country, while I am sure that their patriotism and loyalty will be equal to any call made upon them. I remember a distinguished officer telling them in Hyde Park that with only a fortnight's continuous drill he could do anything with them. I trust that on this question all party recrimination will be avoided, for it is one on which assistance, not criticism, is required.

My Lords, I will now advert for a short time to Foreign Affairs. This part of the Speech from the Throne offers a painful contrast to that of last Session, the opening paragraph of which was in these terms—

> "The growing disposition to resort to the good offices of allies in cases of international difference, and the conciliatory spirit in which several such cases have been recently treated and determined, encourage Her Majesty's confidence in the continued maintenance of the general tranquillity."

On this passage some remarks were made by the Seconder of the Address in "another place"—Sir Charles Dilke—which also contrast painfully with the circumstances of the present time. After referring to the instances in which tranquillity had been preserved, mainly through our own mediation, he referred to the happily increased chances of the maintenance of peace by the triumph of the principle of popular Sovereignty in France and Spain, and by the subsidence of the angry feeling lately existing among the people of the United States towards this country. With many of those remarks I cordially agree; but it must be admitted that the Americans are a peculiar people, and that the recent conduct of the House of Representatives has been, to say the least, extravagant: and it must be matter of regret that so many of the best men of the United States keep aloof altogether from politics. There can, however, be no doubt that both nations desire peace and a speedy settlement of the differences which, unhappily, exist, and I hope that the disputes which have recently arisen as to the fisheries will be soon adjusted.

My Lords, as the homely proverb says, "It never rains but it pours," and your Lordships will agree with me that the position of the noble Earl below me (Earl Granville) is not a very enviable one. In the middle of all his troubles, which must have tried even his temper, Prince Gortchakoff's announcement, that the Emperor of Russia deemed himself no longer bound by the Treaty of 1856, came like a thunderclap on England and on the Foreign Office. One of the conditions of that Treaty limits the naval power of Russia in the Black Sea, both as regards vessels and arsenals on the coast. Certainly if ever a Monarch was under obligations which should be observed, this is a case in point. The spirited protest of the noble Earl will be in your Lordships' recollection. It must be remembered that at the time when the Emperor of Russia entered upon the Treaty in question, it was at the end of the war; when England and her allies were in possession of the Crimea and of the Black Sea; when Russia was exhausted; while England was able and ready to continue the war, if necessary, alone. Peace was made, moreover, without any concession of territory, and without the claim of a pecuniary indemnity. The question now raised has, at the suggestion of Count Bismarck, been referred to a Conference, and I hope to hear in good time from the noble Earl that there is still left a sense of honour, justice, and good faith on the part of those who have bound themselves by treaties. Whatever course other nations may take, I hope we shall never see the time when England is indifferent to the obligations she has undertaken. It is not possible—living, as we do, so near the Continent—that we shall ever be able to carry out in its integrity a policy of non-intervention; but it is clear it behoves us to be extremely cautious as to what treaties we enter into for the future.

My Lords, I will say but few words with regard to the war and its effect upon this country. At the commencement of the noble Earl's career in the Foreign Office he had to deal with the candidature of Prince Hohenzollern for the Spanish Throne; and in this matter his efforts were crowned with success. But after the withdrawal of that candidature, the next step was the declaration of the war by France. The efforts of the noble Earl were then directed to persuade France to submit her grievances and demands to the arbitration of friendly Powers, in accordance with a principle to which France was an assenting party:—but this was refused. These efforts failing, the noble Earl endeavoured to maintain a strict neutrality, and his success in doing so has been in a great measure shown by the complaints preferred against us by both belligerents—complaints that are fully rebutted by the analogous conduct of those very Powers at times when we were engaged in war, and by international usages. If we supplied munition of war to France, we were also ready to furnish Germany with whatever she required; and the sympathy of English people for the victims of the war had been manifested by the enormous sums subscribed for the sick and wounded—the whole wealth of England has been laid under contribution for their relief—and at this very moment an almost incredible quantity of provisions are on their way to prevent the people of Paris from starving. It is a great matter of satisfaction that the independence of Belgium has been secured—that within hearing of the guns of Metz her neutrality was preserved unimpaired; and all classes of her people have expressed their gratitude in the warmest possible terms for the protection afforded her by England. The noble Earl has, moreover, been in constant communication with the other neutral Powers, with the view of localizing the war. As to mediation, it was refused first by France, and after Sedan the new Government made the famous and unfortunate declaration—"We will not give up an inch of our soil or a stone of our fortresses"—a declaration which threw great obstacles in the way of mediation. M. Jules Favre had constantly pressed the noble Earl to mediate; but the latter found it impossible to do so, as Germany insisted on a cession of territory, while France would only concede a pecuniary indemnity. Failing mediation, the French Executive declared war *à outrance*—with what result we all know. There is now, happily, a prospect of peace; from our point of view the interests of future tranquillity will certainly not be furthered by the annexation to Germany of Alsace and Lorraine or Metz. From no point of view, indeed, is it reasonable to expect that the interests of peace can be furthered by crushing a beaten and prostrate foe, or by the annexation of provinces whose people do not and are not likely to possess any sympathies with Germany; and though we may all think that France has received a condign and not undeserved punishment, it is to be hoped that so great a conqueror as the German Emperor will show some generosity to a fallen rival. It is not for me to express any opinions on such matters; but with all these horrors so near us, it is a subject for heartfelt thanks that we have been spared the unspeakable miseries of war. We must, under God, depend on ourselves, if not for peace under all circumstances, yet to make our country perfectly safe from invasion. The noble Marquess concluded by moving the following humble Address to Her Majesty, thanking Her Majesty for Her Most Gracious Speech from the Throne:—

MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to offer our humble thanks for Your Majesty's gracious Speech addressed to both Houses of Parliament.

"We humbly thank Your Majesty for informing us, that, in accordance with Your gracious promise to pay constant attention to the subject of neutral obligations, Your Majesty has maintained the rights and strictly discharged the duties of neutrality during the war unhappily prevailing between France and Germany, and which we humbly trust with Your Majesty may, under the influence of moderation and forethought in the Councils of both sides, shortly be terminated.

"We rejoice to learn that the sphere of the war has not been extended beyond the two countries originally engaged.

"We humbly thank Your Majesty for informing us that cherishing with care the cordiality of Your Majesty's relations with both belligerents, Your Majesty has forborne from whatever might be construed as gratuitous or unwarranted interference between Parties, neither of whom had shown a readiness to propose terms of accommodation, such as to bear promise of acceptance by the other; and for informing us that Your Majesty has been enabled, on more than one occasion, to contribute towards placing the Representatives of the two contending countries in confidential communication, though unfortunately until famine compelled the surrender of Paris no further result had been obtained.

"We humbly unite with Your Majesty in praying that the suspension in the constant accumulation, on both sides, of human suffering which has been brought about by the Armistice, now employed for the convocation of an Assembly in France, may result in a Peace, compatible, for the two great and brave nations involved, with security and honour, and likely therefore to command the approval of Europe, and to give reasonable hopes of a long duration.

"We humbly thank Your Majesty for informing us that, though unable to accredit Your Majesty's Ambassador in a formal manner to the Government of Defence which had subsisted in France since the revolution of September, neither the harmony nor the efficiency of the correspondence of the two states has been at all impaired.

"We humbly thank Your Majesty for informing us that Your Majesty's congratulations have been offered to the King of Prussia on the assumption by His Majesty of the title of Emperor of Germany, which we trust, while bearing testimony to the solidity and independence of Germany, may be found conducive to the stability of the European system.

"We humbly thank Your Majesty for informing us that Your Majesty has endeavoured, in correspondence with other Powers of Europe, to uphold the sanctity of Treaties, and to remove any misapprehension as to the binding character of their obligations.

"We humbly join with Your Majesty in confidently trusting that the result of the deliberations of the Conference which it was agreed by the Powers, who had been parties to the Treaty of 1856, should meet in London, may result in upholding both the principles of public right and the general policy of the Treaty, and at the same time, by the revision of some of its conditions in a fair and conciliatory spirit, exhibit a cordial co-operation among the Powers with regard to the Levant.

"We regret to learn that Your Majesty's earnest efforts have failed to procure the presence at the Conference of any Representative of France, which was one of the chief parties to the Treaty of 1856, and which must ever be regarded as a principal and indispensable member of the great Commonwealth of Europe.

"We humbly thank Your Majesty for informing us that Your Majesty has entered into amicable communication with the President of the United States for the settlement of the several questions of importance which are not yet adjusted, and which materially affect the relations between the United States and the territories and people of British North America; and that in order to determine the most convenient mode of treatment for these matters, Your Majesty has suggested the appointment of a joint Commission, which, at the proposal of the President, will be authorized at the same time, and in the same manner, to resume the consideration of the American claims growing out of the circumstances of the late war, and that this arrangement will, by common consent, include all claims for compensation which have been or may be made by each Government, or by its citizens, on the other.

"We humbly join with Your Majesty in deploring that the inquiry which was instituted by the Government of Greece into the history of the shocking murders perpetrated during the last spring at Dilessi has not reached a termination answerable in all respects to Your Majesty's just expectations, and we humbly thank Your Majesty for assuring us, that you will not desist from Your Majesty's endeavours to secure the complete objects of the inquiry.

"We humbly assure Your Majesty that we learn with pleasure that the anxiety called forth by the massacre at Tien-tsin on the 21st of June last has happily been dispelled; and that it has been Your Majesty's earnest endeavour to provide for the security of Your Majesty's subjects and their trade in those remote quarters, while recognizing the Chinese Government as entitled to be dealt with, in its relations with this country, in a conciliatory and forbearing spirit.

"We humbly thank Your Majesty for informing us, that during these critical times Your Majesty's relations are, as heretofore, those of friendship and good understanding with the Sovereigns and States of the civilized world.

"We humbly thank Your Majesty for informing us, that Your Majesty has given directions for papers illustrative of the conduct of Your

Majesty's Government in relation to these general matters to be duly laid before us.

"We humbly thank Your Majesty for informing us that Your Majesty has been pleased to approve of a marriage between Your Majesty's daughter Princess Louise and the Marquis of Lorne, and we humbly assure Your Majesty that we trust that this union may be prosperous and happy.

"We humbly assure Your Majesty that in considering the important lessons afforded by the present war, we shall not fail to bear in mind the special features in the position of this country, so favourable to the freedom and security of the people, and if the changes from a less to a more effective and elastic system of defensive military preparation shall be found to involve, at least for a time, an increase of various charges, we shall not grudge the cost, so long as we are satisfied that the end is important and the means judicious; and we humbly assure Your Majesty that we shall give our anxious and impartial consideration to the Bill which Your Majesty informs us will shortly be laid before us.

"We humbly assure Your Majesty that our best attention will be given to the general work of our domestic legislation, including the several measures which were brought before us during the last Session of Parliament, but which the time remaining at our disposal was not found sufficient to carry to a final issue.

"We humbly thank Your Majesty for informing us that the inquiry made by a Committee of the Commons House respecting Secret Voting is now complete, and that a Bill will be laid before us on that subject.

"We humbly join with Your Majesty in trusting that the question of primary education in Scotland may this year be adjusted by the enactment of a just and effective law.

"We humbly thank Your Majesty for informing us that the condition of Ireland with reference to agrarian crime has, in general, afforded a gratifying contrast with the state of that island in the preceding winter, although there have been painful but very partial exceptions; and we humbly concur with Your Majesty in considering that after the great measures of the two last Sessions which have so recently passed into operation, and which involve such direct and pressing claims upon the attention of all classes of the community, a period of calm is to be desired; and we humbly join with Your Majesty in thinking it wise to refrain from suggesting, at the present juncture, the discussion of any political questions likely to become the subject of new and serious controversy in that country.

"We humbly assure Your Majesty that we fervently join with Your Majesty's prayers that all our designs may receive the favour and aid of the Most High."

THE EARL OF ROSEBERY: My Lords, I rise to second the Address moved by the noble Marquess. And in doing so I would plead that that favour and indulgence which your Lordships are accustomed to show to all who for the first time address this House, may be extended to me in even a larger measure on account of my extreme youth and inexperience. Moreover, I do not think that anyone who heard the speech of the noble Marquess can fail to appreciate the difficulty and hesitation with which I approach the discussion of questions which he has already treated with such distinguished ability.

Before I proceed to the actual consideration of Her Majesty's gracious Speech, I would refer to one event in connection with it—that Her Majesty has deigned to be present at its delivery to-day—a circumstance which affords joy not merely to the Legislature itself, but also to the entire nation: while it is rendered the more interesting in that Her Majesty has thus in person announced to us the marriage of her daughter, the Princess Louise, with the Marquess of Lorne—an alliance dictated not by the pride of dynasty, or the traditions of State policy, but by the purest affection, and therefore additionally welcome to the English nation. My Lords, I hope and believe that the noble Marquess will prove himself worthy of this high distinction, and that he will do so in the most fitting and natural manner by treading in the steps of the noble Duke the Secretary of State for India.

Your Lordships will have heard with satisfaction that Her Majesty's Government are considering the question of the re-organization of the land forces of this country. I think I should be best consulting your Lordships' wishes by refraining from the discussion of this question—more especially after the able remarks of the noble Marquess—until the Government measure be laid before us. But I may express a hope that the British Army may by that scheme be raised to a standard of full efficiency, without interference with industrial pursuits, or undue pressure upon the national taxation.

Your Lordships will also have heard with gratification of the contemplated measure for the fusion of law and equity, and the establishment of a High Court of Justice. And I think that I do not speak without book when I say that the efforts of the noble and learned Lord on the Woolsack during the last Session in this direction met, in principle at least, with the approbation of your Lordships; so that we may hope that a settlement of this difficult and laborious question is not now remote.

My Lords, I now come to the paragraph in the Speech of paramount importance to many in this House—to none more so than myself: I mean that relating to education in Scotland. No country deserves more than Scotland that her educational efforts should be fostered by the Imperial Government, because in no country is there such an intense solicitude on the subject. The leaders of public opinion in Scotland—from Knox to Chalmers—have universally and persistently urged upon their fellow-countrymen the necessity of an adequate system of national education; and the result is, what everyone who has spent a few weeks in that country will have observed, that in every class of the community, from the highest to the lowest, there is a craving for mental improvement. Nothing is so common in Scotland as to see a peasant working with his hands for six months of the year that he may be able to spend the winter at one of the Scotch Universities; barely obtaining the necessaries of life with the pittance he had saved from his earnings in the summer. The Government Bill relates only to elementary education; but I have mentioned this to prove that it should be a labour of love to the Legislature to further education in a country where there is such a thirst for knowledge.

My Lords, I now come to a measure affecting the higher part of education—I mean the repeal of the University Tests. I think I am justified in saying that public opinion has expressed itself strongly in favour of the Government measure. I will not trouble your Lordships with the allusion—trite and time-honoured in connection with this question — of the Sibylline books. But I would say that the subject is brought into greater prominence at the present moment by the fact that, for I think the third time within the last few years, the Senior Wrangler of this year is a Dissenter: that is to say, that a young man who has attained the highest intellectual distinction of his University, has now reached a door which to him, as a Dissenter, is closed, beyond which lie the honours, rewards and emoluments which would be lavished upon him were he a member of the dominant Church. To him a Christian gentleman, who has placed himself among the foremost men of his University, that University, his *Alma mater*—my Lords, I should rather say his *injusta noverca*—has said, "Thus far you may come, but no farther." My Lords, I am not a servile adherent of the Government measure. I would vote for any other which, while it secured to such men as Mr. Hartog and Mr. Hopkinson the rewards which are their due, and their services to the Universities, would, on the other hand, appease the fears of those who think that the Church of England would be endangered by the Government Bill.

Her Majesty's Speech refers—with a satisfaction which will be shared by all—to the circumstance that two questions which have for a long time been a subject of difference between this country and the United States are to be referred to a joint Commission from both countries: I mean the questions of the Canadian Fisheries and the *Alabama* Claims. It is, of course, the interest of certain politicians of both countries to keep these questions open and make capital out of them; but I cannot believe that two great nations, under the guidance of enlightened statesmen, kindred in blood, in language, and in political sympathy, can, in the interests of that civilization which they both have so much at heart, long remain divided by such questions as these.

My Lords, you will also rejoice, more especially in view of the ghastly drama which is being enacted on the Continent, in hearing of Her Majesty's friendly relations with all foreign Powers. We have since we last met seen great changes in Southern Europe: we have seen an ancient Monarchy accept a new dynasty, and one of the oldest Sovereignties of the world abruptly terminated: events most interesting and important at any other time, but completely dwarfed by occurrences elsewhere. And this leads me to the subject which fills all our minds. My Lords, I pause on the threshold of this great subject: I feel that I owe you another apology for even venturing upon it. Towards the close of last Session a war was being commenced. A great Monarch, at the head of a mighty army, moving on the bases of impregnable fortresses, confident from its unrivalled reputation and great traditions, was moving against the King of Prussia, at the head of another army. In less than a month that army had disappeared, those fortresses were hopelessly blockaded, and that great Monarch—the man who for 10 years had swayed the destinies and kept the conscience of Europe—was a prisoner in the hands of the enemy. My Lords, I ask you if any words in any language can compass such a catastrophe: and yet this was but the beginning. While these events were occurring the course of Her Majesty's Government was plain: they had to keep four points in view. First, the preservation of our own neutrality; secondly, the neutrality of Belgian territory; thirdly, the establishment of an understanding between the neutral Powers which should limit the area of the war—not a league, which would have fettered the free action of separate Governments in their efforts to mediate: and, fourthly, the attainment of a peace, or at least of an armistice, which might allow of terms of peace being discussed. There can hardly, I think, be any difference of opinion as to the success of the Government in attaining the two first objects. Their success in the first has, as the noble Marquess pertinently remarked, been proved by the complaints that have been addressed to us by both belligerents. We gave our countenance to both nations, and received, as Christians are apt to do under the circumstances, buffets on either cheek. In the third object Her Majesty's Government were equally successful: except so far, that Russia, from the connection of her dynasty with Prussia, preferred not joining in public remonstrances against the Prussian policy, when she had more private and effectual means of urging her views. The fourth of these presented obstacles that were almost insuperable. On both sides there were exalted views, on the side of Prussia there was a sensitiveness amounting almost to repugnance at the least interference of the neutral Powers. It may be said that they would rather have conceded an ell to France than an inch to the neutral Powers. I now come to another obstacle. After the disaster of Sedan the people of Paris had risen and overturned the reigning dynasty, some leading politicians had undertaken the Government, and, under the inspiration of the nation, had proclaimed, "Resistance to the death." My Lords, I know of nothing in history so grand as the manner in which, when her armies had melted away like snow before the sun, when her fortresses were beleaguered, when her Executive was either captive or fled, when all, in fact, that represented civil organization or warlike power had vanished, Paris, who for 18 years had given herself up to luxury and deified pleasure, came forward to endure bombardment and famine and death, in order to become the nucleus of the defence of France. For four months she held on, she fed her population of epicures on husks and rats, yet there was little repining and no crime. But, my Lords, heroic as the situation was, it was one of great difficulty for the neutral Powers. There was a dual Government: one a Government of eloquence in the country, the other necessarily a Government of silence in the capital. The one required instructions, the other required news. My Lords, under these circumstances neutrals could do but little. But, as far as their power went in the way of preparing the road for negotiations, of hinting to the one side the wishes that the other was too proud to express, in the way, in fact, of doing all that a neutral can do, without direct interference, Her Majesty's Government displayed zeal, tact, and judgment. And now, at last, there is an armistice —an armistice, let us hope, that will ripen into a durable peace. Meanwhile, we have seen the King of Prussia proclaimed Emperor in the Palace of Lewis the Fourteenth. The warmest good wishes of this country must go forth to the new Confederation; the warm wish of this country will be to see this historic Empire prove that she can not merely conquer, but also use her conquests with magnanimity, and that when this disastrous war is concluded she may use her great power in the interests of peace and civilization.

But, my Lords, what shall we say of France? I believe that to those who have faith in the great destinies of that great country—and I confess that I am one of them—that faith will be not merely unshaken, but rendered more profound by the events of the present war. I believe that the time will come when France will look back to these bitter calamities with even thankfulness, as being the trial—the crucial trial—from which she emerged to a higher and purer state of liberty than she had ever previously known. She may well be thankful if they have taught her to despise the empty love of military glory, the endless desire of territorial aggrandisement, the restless anxiety for supremacy in Europe, which have so long distinguished her policy. This miserable war is due not so much to the Emperor and his advisers as to those quack orators who, for four years, preached to France that the aggrandisement of Prussia was an insult to France; that the establishment of a powerful nationality on her borders was a menace; that France should be an Empire surrounded by duchies and provinces. My Lords, I believe that we shall live to see France far greater in the councils of Europe, by her moral authority, than she ever was by her armies.

My Lords, among the numerous engines of war which have recently been discovered or re-adapted, we must all have noticed the versatile and irrepressible nature of the diplomatic circular. Every event of the war has been preceded or followed by a cloud of these missives. I believe that if Jupiter were to return to earth, and re-commence his courtship of Danae, he would woo her in a shower of diplomatic circulars. We have had circulars about the origin of the war; circulars to prove that Count Benedetti was a knave; circulars to prove that he was merely the reverse; circulars about split bullets and the Geneva cross; circulars to prove that the Treaty which guaranteed Luxemburg was a sacred obligation; circulars to prove that the Treaty of Paris is not worth the paper it is written on. My Lords, I would say a few words on the last of these—a very few words, as the subject is one of great delicacy, while a Conference is sitting to decide the question. When the circular of Prince Gortchakoff appeared, it astounded Europe. It was felt that, although the signatory Governments would, in times of peace, willingly have re-considered provisions of the Treaty which were galling to a great Power like Russia, the manner of that circular, and the moment at which it was delivered, were equally inopportune. It was felt that it was not the moment to revise the Treaty of Paris when one of the chief signatory Powers was, so to speak, *in extremis.* Nor was it considered that the mere expression of the Emperor of Russia's wishes on the subject was the right means of attaining the object. These views were expressed by the noble Earl the Secretary of State for Foreign Affairs, in a circular which, I think I may say, elicited the praise not merely of England but of the whole of Europe. But, at the suggestion of Prussia, a Conference was agreed to which should discuss the question without prejudice of any point; that Conference is now sitting, and, I believe I may add, with every prospect of arriving at a favourable result.

My Lords, I have only one word more to say, and that is to thank you from the bottom of my heart for the patience and indulgence with which you have listened to me. I thank you the more because I believe that there is no more solemn moment in the life of an Englishman than that on which he is at first privileged to take part in the deliberations of the National Senate. To your favour and kindness, my Lords, am I indebted for lightening to me the responsibility of that moment. My Lords, in conclusion, I beg to second the Address which has just been moved by my noble Friend. [*See Page* 18.]

THE DUKE OF RICHMOND: My Lords—In the first place, before entering upon the remarks I am about to offer to your Lordships, I wish to express my gratification at the admirable speech in which the noble Marquess moved the Address, and the conspicuous ability with which it was seconded by the noble Earl who has just sat down. It often falls to the lot of those who rise on this side of the House to make a statement of this kind; but I can assure both those noble Lords that I intend my words to be not mere empty compliment, but a distinct expression of the opinion I formed while listening to the speeches which they have delivered.

My Lords—It has been for many years the custom that your Lordships should abstain, except under very extraordinary circumstances, from moving any Amendment to the Address moved in answer to the Speech from the Throne. On this occasion there are, I think, ample reasons why we should adhere to that course, and why the proceedings of your Lordships should be of a unanimous character. My first reason, and the chief one, is because we have had the happiness this day of seeing our most gracious Sovereign in sufficiently good health to take part in the public business of the country, seated on the Throne in this House while her Speech was being delivered to us. Another reason is that Her Majesty informed your Lordships in that Speech that an event of the greatest interest to herself—and if of great interest to herself, of necessity to the country at large and to your Lordships—was about to occur—namely, the marriage of the Princess Louise with the Marquess of Lorne. I am sure your Lordships, as well as the country, are deeply interested in everything which concerns the happiness and the comfort of the Queen, and all those composing her family circle:—and it is on this account mainly I rejoice to find no reasons whatever for asking your Lordships to agree to any Amendment to the Address which has just been moved. Having now briefly noticed that part of the Speech which I look upon as personal to the Sovereign, I will say a few words respecting those paragraphs of it which are more closely connected with Her Majesty's Advisers than with Her Majesty herself, and, therefore, in whatever comments I may make I must be understood to intend no disrespect towards the Crown. The first subject that is alluded to in Her Majesty's Speech is one that would naturally be prominently put forward in an Address of this kind —namely, the state of affairs on the Continent. We must all deeply regret that the dreadful war which has been waged for so long a period, and which must have the most disastrous effects upon both parties—I refer to the great desolation and the great misery that must necessarily be produced by it, both in Germany and France—has not yet come to an end. I do not think it would be wise, if it were possible, to attempt to comment on the conduct of the Government with regard to the position they have taken upon this question until all the Papers connected with it have been produced which Her Majesty in her Speech has promised shall be shortly laid on the Table. I must, however, say it seems to me that some of the language of these paragraphs of the Speech from the Throne is open to observation. I will call your Lordships' attention, and the attention of the noble Earl (Earl Granville), who, I have no doubt, will answer me, to that paragraph which states—

> "Cherishing with care the cordiality of my relations with each belligerent, I have forborne from whatever might have been construed as gratuitous or unwarranted interference between parties."

Now, I must say, judging from some speeches that have been made out of doors, the Government have a very curious idea of the meaning of "cordiality." Your Lordships all know that it is the habit of Members of Parliament during the Recess to meet their constituents—and we know that in the newspapers there is a portion sometimes assigned to the "Speeches of Members out of town." No particular importance is attached to the utterance of unofficial Members; but when a Minister of the Crown addresses his constituents his language is of great import, owing to the position he occupies. Now, among the speeches of Members who addressed their constituents in the autumn, I find one attributed to the right hon. Gentleman the Secretary of State for the Home Department. What does he say with reference to what Her Majesty calls "the cordiality of my relations with each belligerent?" Mr. Bruce, speaking at Paisley on the 30th of September, said—

> "Those who asked why, if this was a war simply to repel aggression, Germany was not satisfied when that aggression was repelled, might as well ask why when a housebreaker entered a house the occupier was not contented with throwing him out of the window. The desire naturally was to take steps to prevent the housebreaker from repeating his burglarious entrance."

That is to say, if it means anything, the Home Secretary likens France to a housebreaker, and says that Germany ought not to be satisfied by throwing him out of the window. So much for the opinion of the Home Secretary as to cordiality of relations. It might be said that the Home Secretary is only one Member of the Government, and spoke his own opinion only; but the right hon. Gentleman, in the course of his speech, observed—

"When the present Government took office, it was said that its Members could not act together; but I would now say that a more united Cabinet never guided the destinies of the country."

Well, in that case, and if the right hon. Gentleman was the mouthpiece of the views of the English Cabinet, and if they all regard France as a burglar who deserved to be thrown out of window, I think that the cordiality of our relations with that country was cherished by the English Government in a manner peculiarly their own, and little likely to be appreciated by the French nation. I, for one, shall very much rejoice if Her Majesty's Government should be able to prove to us and the country that they have done all in their power to act between these two great countries in a manner befitting that character of neutrality which they professed to sustain—and which the country has endorsed—in regard to the operations on the Continent. No doubt during the last few days affairs appear to have taken a more favourable turn, giving a somewhat better hope of a peaceful solution of these difficulties. We must all be anxious in the interests of the nations that the result should be peace, and that the peace should be of a lasting character; but it must not be forgotten that it will be very difficult to make any peace lasting unless there be a strong Government in France, which may be able to induce the people to agree to what must, under the circumstances of the present case, be most harassing, distressing, and annoying to their feelings.

I pass over several paragraphs till I come to one of great importance in relation to the position of this country and the despatch of Prince Gortchakoff. It is perfectly true that in the Speech there is—perhaps intentionally—no absolute mention of the despatch of Prince Gortchakoff, or of the answer that was made to it by the noble Earl opposite (Earl Granville); but there can be no doubt that in the paragraph to which I refer that despatch is alluded to. Her Majesty says—

"I have endeavoured, in correspondence with other Powers of Europe, to uphold the sanctity of Treaties, and to remove any misapprehension as to the binding character of their obligations."

We all know that Prince Gortchakoff wrote a despatch of a most startling character; the noble Earl wrote an answer to it; and the country naturally are very much alive to what is going on, and very anxious to know what the result will be. The whole appears to have collapsed, I may say, into a Conference. The Conference is to assemble, but we are not told how. We are told—

"It was agreed by the Powers, which had been parties to the Treaty of 1856, that a Conference should meet in London."

Now, is that an accurate statement of fact? I rather think it is not, because the next paragraph goes on to say—

"I greatly regret that my earnest efforts have failed to procure the presence at the Conference of any Representative of France, which was one of the chief parties to the Treaty of 1856, and which must ever be regarded as a principal and indispensable member of the great Commonwealth of Europe."

Therefore, a Conference was to be held to discuss this despatch written by Prince Gortchakoff, and the Treaty of 1856, to which France was one of the chief parties. Yet France was not present. First we are told that the Conference is agreed to by the Powers which were parties to the Treaty of 1856, and then we are told that France had nothing on earth to do with it. That is a difference in terms which I cannot reconcile. I want to know where was the necessity for hurrying on the Conference if—as I quite agree—it was absolutely necessary that France should be represented at it? Your Lordships will also examine the Papers, when they are submitted to you, with great interest to learn what steps have been taken to assure the result being binding on Russia, if the Conference comes to any decision on the subjects to be submitted to it. That is a most important point, to which we shall be better able to address ourselves when we come to consider the Papers which are to be laid on the Table. I now come to that paragraph of the Speech which relates to America, and again I find myself under the necessity of questioning the strict accuracy of the statement. About the middle of the paragraph it is stated—

"In order to determine the most convenient mode of treatment for these matters, I have suggested the appointment of a joint Commission."

There we are told that a joint Commission is suggested, and in the next line we are told that—

"I have agreed to a proposal of the President, that this Commission shall be authorized at the same time, and in the same manner, to resume

> the consideration of the American claims growing out of the circumstances of the late war."

Therefore I conclude that as this suggestion has been accepted, the appointment of the Commission may be considered *un fait accompli.* I hope that we shall soon hear exactly what the terms are on which the Commission will be authorized to act. Are they to include all the claims that have been or may be made by one Government upon the other? If so, that would be equivalent to an inquiry into the whole of what are commonly called "the *Alabama* claims;" and I should like to know whether it is to be upon the bases agreed on by the late Lord Derby, and if they are different, why that difference had been made, and what circumstances have arisen to call for it? Upon all these points we require more information. The next paragraph is a rather remarkable one. It refers to the unhappy murder of Englishmen in Greece, and states that the inquiry instituted by the Greek Government has not, "unhappily, arrived at a termination answerable in all respects to My just expectations." Now, I believe the only result of that inquiry has been the incarceration of an Englishman, and that upon application being made for his release, the Greek Government replied that the law must take its course. I therefore cannot but think that, so far as that affair is concerned, the inquiry has not had any very satisfactory consequence. Her Majesty then states in her Speech—

> "I rejoice to acquaint you that my relations are, as heretofore, those of friendship and good understanding with the Sovereigns and States of the civilized world."

That is a declaration which I rejoiced to hear; but, taking a view of the state of things all around, I must think that, to say the least, that is a somewhat exaggerated statement. The next paragraph in the Royal Speech to which I shall call attention is one relating to the Revenue, and in which Her Majesty states—"The Estimates for the coming year will be promptly laid before you." Now, I wish to call attention to a very remarkable omission in this paragraph. It is rather a singular circumstance, seeing that on scarcely any former occasion—and certainly never in a Speech made during the Administration of a Cabinet whose watch-word is Retrenchment and Economy, has there been such an omission. I allude to the fact that there is no mention made that the Estimates have been framed with a due regard to economy. It may be that the Government are beginning to see the error of their ways, and that the doctrine of retrenchment as interpreted by them is one which can never be successfully carried out by any Government. With regard to the Civil Service, we all know how retrenchment has been carried out in that branch—the Departments were supposed to be overstocked with clerks, and they were reduced accordingly, and the Chancellor of the Exchequer gets credit for the great decrease of expenditure. Now, what is the opinion of the Home Minister as to the conduct of public business? He has stated in his speech—

> The administrative work of all the Departments had been enormously added to; the number of Ministers had not been increased, while the business of their offices had been greatly augmented, and that was a state of things which, unless some remedy was applied, would result in a position of great difficulty."

If that statement were correct, why had there been all that recent casting off of clerks? The observation seems rather to imply that more clerks, and perhaps more Ministers, were necessary; and at any rate, according to the right hon. Gentleman's own showing, a position of great difficulty may be looked for. Is that a proof of the wisdom of indiscriminate retrenchment, carried out to satisfy a cry rather than from any real necessity? The only result will be, that in the end you will have to increase the offices again by the addition of more clerks. My Lords—I next come to that very important portion of the Speech which refers to the subject of the national defences. I am not going to enter into any prophecy as to what the measures of the Government will be, or as to what would be, in my opinion, the most desirable method of proceeding; but of this I am certain, that judging from everything one hears of, and is able to gather respecting the opinion of the country, that it will not be satisfied unless the Government is prepared to deal with the subject in a comprehensive manner, so as to put the country in a position that will make it prepared for any present emergency, or for any difficulty that may arise in the future; and I am certain that any scheme that will put an end to such alternative fits between parsimony and extravagance as we have lately witnessed will receive the unanimous support of the country. I read in the paper the other day a letter written by a noble Earl (Earl Russell), in which he says that "Mr. Cardwell's mission was to retrench." Well, that is no doubt true. The right hon. Gentleman came into Office with the avowed object of retrenchment, and one of the first things he did was to cut off 20,000 men from the Army, and I presume about £2,000,000 from the expenditure. Well, but what took place at the end of last Session? Why, Mr. Cardwell had to put on 20,000 men. I should like to ask him, if I had the opportunity, and as I have not I will ask the noble Earl opposite, whether the putting on of 20,000 men did not cost much more than the taking off of them saved; and, moreover, whether the 20,000 men so put on were not a much worse and more useless article than those who had been taken off? The 20,000 men added to the Army at the end of last Session must be raw recruits, and anyone who knows anything of matters connected with the Army must know that it will take a long time to turn them into efficient troops; and in no branch of the Army is the operation a slower or more difficult one than in that most important branch of the service, the Royal Artillery. It is true that the noble Marquess (the Marquess of Westminster) spoke warmly—as he was well entitled to do—of the Volunteers. I have not one word to say against them; but I think the noble Marquess drew rather too highly coloured a picture when he said that they were all well armed. The noble Marquess's corps may be one of those that has had good arms served out to it; but that cannot be said of the whole body of the Volunteers.

The Marquess of WESTMINSTER: I stated that they would be well armed in the spring.

The Duke of RICHMOND: That is another thing, and I shall be as much rejoiced as my noble Friend when that is done; but at the present moment the whole body of Volunteers are not well armed, and I am certain that any measures for the purpose of rendering every portion of the Army efficient will receive the cordial support of the country. My Lords, in the paragraph relating to the national defences I was very much astonished at the total omission of one most important branch of our service. From the beginning of this Royal Speech to the end, I did not hear a single word with respect to the condition of the Navy. No one will venture to say that in England's insular position—with that "silver streak" which divides her from the Continent of Europe—her Navy is not a most important branch of her defences; and it eminently merits attention at the present moment, considering the changes that recent scientific discoveries have effected. Nobody can more sincerely regret than I do the serious illness under which the First Lord of the Admiralty has been and is now suffering; but I should like to know from the noble Earl opposite, and I am sure he will tell me, who is at the present moment responsible for the administration of the Navy? because the First Lord is absent; he has been suffering from illness for a long time, and, according to report, he is likely to suffer for a considerable period. I ask, then, who is responsible for the administration of the Navy; because it must be remembered that, from the peculiar constitution of the Navy, no Secretary of State can administer its affairs, inasmuch as the Board of Admiralty is a Board constituted by warrant, and no act in connection with the Board can be performed by any but those mentioned in the warrant. I will now ask the attention of your Lordships to that part of the Royal Speech relating to the Army—

> "The lessons of military experience afforded by the present war have," we are told, "been numerous and important. The time appears appropriate for turning such lessons to account by efforts more decisive than heretofore at practical improvement."

That certainly, my Lords, is not one of the lessons which the Chancellor of the Exchequer had in his mind when he addressed a large meeting in the North of Scotland, and I should be glad to know whether Her Majesty's Government—according to the Home Secretary, one of the most united Governments which ever held Office in this country—are of one mind on this subject, or whether the Chancellor of the Exchequer is alone in his opinion as to the value and necessity of a standing army. The right hon. Gentleman, in a speech made after receiving the freedom of the burgh of Elgin, said—

> "We have witnessed within the last few days the destruction of a most gallant standing army by what is not a standing army, but an armed nation; and that not altogether by the superior qualities of the men, but by the enormous preponderance of numbers which the fact of their being an armed nation gives them."

And this is the lesson the right hon. Gentleman draws from these circumstances—"I think I hear in this the knell of standing armies." Do the united Cabinet agree with the right hon. Gentleman that what has occurred on the Continent is the knell of standing armies, and that the lesson we have learnt is that standing armies are of no use? I am glad to find the Speech from the Throne firmer and more energetic—it is, I think, more in accordance with the feelings of the country than the speeches made during the Recess by Members of the Cabinet. How, indeed, when the Cabinet came together, they could afterwards reconcile their differences, and together compose such a speech as this, I do not know. However, this is their arrangement—I suppose I may call it a family arrangement. I find that other Members of the Government have given expression to views similar to those enunciated by the Chancellor of the Exchequer. There have not been many speeches by Cabinet Ministers during the Recess. The Prime Minister has, indeed, been accused of a reticence on the subject during the Recess not usual to him—creating a wrong impression in the minds of foreign nations, that there is no such country as this to be found on the map of Europe. It is true, indeed, that the Home Secretary has dispelled that illusion by saying to his constituents in Scotland—

> "I am not one of those who can discover in the present state of things any such immediate or pressing danger to this country as would lead us suddenly to change our system or to rush into rash resolutions. Where lies the danger to England? When France was at once a great military and naval Power there undoubtedly existed a certain amount of danger. But where is the immediate danger now? Certainly not from France. She will have enough to do for many a year to come to repair the injury she has received from this war. Then, is it from Prussia? How is Prussia to transport her army here? How is she to reinforce it and supply it? It, therefore, seems to me that, while we should wisely turn to account the experience we have gained during the last weeks, time enough is before us to do so cautiously."

That, my Lords, is not the lesson drawn by the Chancellor of the Exchequer that the knell of standing armies has been sounded. The right hon. Gentleman cautiously proceeds—

> "I am of opinion that though Mr. Cardwell may be charged with proceeding slowly" (it is something that the right hon. Gentleman admits that the Minister for War has been slow) "in creating a great reserve force, he is justified by the circumstances in doing so."

Well, that, again, is not the view taken by the Government in the Speech from the Throne, for the paragraph relating to the Army concludes by promising that—

> "No time will be lost in laying before you a Bill for the better regulation of the army and the auxiliary land forces of the Crown, and I hardly need commend it to your anxious and impartial consideration."

In reading over, therefore, this excessively long paragraph in this very long Speech, I am quite bewildered, for in their individual capacity the Members of this very united Cabinet say, and no doubt believe, one thing, while in their united capacity they put forward precisely opposite views. However that may be, I feel confident, my Lords, any measure which may be proposed to deal with the organization of the Army and to strengthen the national defences will receive from your Lordships patient and anxious consideration, in the hope that by adopting a really efficient measure this country may be enabled to take among the nations of the world the position it has always held, and which I trust it will continue to hold for centuries to come. I pass now to less exciting topics—I mean the various measures which Her Majesty's Government recommend us to deal with during the Session. They are not few in number, and certainly they are important in character. I should have thought, after the experience of the past Session, that the Government would not have been so generous in giving us so large a number of measures to deal with. Last year I recollect a late distinguished Member of the Cabinet expressing great doubt of their being able to carry the measures then proposed, and likening one of his Colleagues to a man who tries to drive six omnibuses abreast through Temple Bar. The undertaking of the Government accordingly proved to be impossible, for out of, I think, 13 measures proposed by them I doubt whether more than three passed this House—including the Irish Coercion Bill, which was an extra measure, not mentioned in the Speech from the Throne. I will not follow the noble Marquess who moved the Address (the Marquess of Westminster) in all his remarks upon these questions; but I am bound to notice one or two. The noble Marquess wondered why my noble Friend (the Marquess of Salisbury) did not move for a Committee on the University Tests Bill earlier in the Session. Why, because the Bill did not come up to us earlier in the Session. We were told that we ought to take the Bill on trust. My noble Friend (the Marquess of Salisbury) thought differently, and as soon as he had an opportunity he moved for a Committee of Inquiry. As to the Ballot, or secret voting, I hope your Lordships may not have the opportunity of discussing such a measure, and I certainly shall not anticipate the discussion now. But with regard to Lord Palmerston's argument, that in voting an elector exercises a trust, I may point out that we have a population of 30,000,000, while the constituency is not above 2,000,000, so that the same argument still applies, notwithstanding the increased number of voters. I trust this will be remembered when we come to discuss the measure—if we ever do discuss it. The last paragraph in the Speech—one of great interest—relates to Ireland. When the Government took Office their watch-word was Retrenchment, and they were also going to pacify Ireland, assuming that they were the only body of Gentlemen who could pacify Ireland and make the people orderly and happy. They were to pass Bills dealing with the Church, with the land, and with the education of the people of Ireland. Well, no doubt they have disestablished and disendowed the Irish Church—I may almost say they have destroyed it—and last year they passed a Land Bill which has since been described by one of their own supporters as an Act transferring 70 millions of property from the pockets of the landlords, to whom it really belonged, into the pockets of the tenantry, to whom it never had belonged. I ask, has their policy with regard to Ireland realized the expectations held out to us? The Education Bill remains; but there is to be a lull in Irish legislation, and meanwhile we are told the country is in a satisfactory state. Now, I say that, notwithstanding all our legislation, Ireland is not in a satisfactory state; and on that point I can quote the opinion of a high authority—the Lord Lieutenant himself. While paying a visit to a noble Relative of mine opposite, the Lord Lieutenant was met in Mullingar by a body of gentlemen, who presented a highly complimentary address, expecting, no doubt, to receive a correspondingly cordial reception. But the Lord Lieutenant, on the contrary, told them exactly his opinion of the state of that part of the country. He said—

> "I need not refer to the successful endeavours of Her Majesty's Government to carry out remedial measures for the benefit of Ireland; but I am bound to make some remarks, which I do with very great pain, on the state of this part of the country. While the whole of the country is realizing the benefits of a plentiful harvest and unusual material prosperity, and while good order and freedom from crime prevail generally throughout Ireland, this county, and a small district adjoining it, has been an unfortunate exception to the general rule. Within a very few weeks two most wanton murders have taken place, and other outrages have been committed which show that a barbarous and lawless spirit is still existing among some portion, at all events, of your population. Circumstances connected with these atrocious deeds clearly prove that they are not acts of personal revenge against the victim, but are the work of an organized and secret society."

And he goes on to say that if there was not an improvement on this state of things, other and more stringent measures will be adopted with respect to Ireland. Now, my Lords, I should like to know what those measures are, or whether any such measures are about to be introduced by Her Majesty's Government. It seems, I may add, to be entirely forgotten in the Speech from the Throne, which, as I have said, is in the main contradicted by what fell from the Lord Lieutenant, that we are now ruling Ireland under one of the most stringent Coercion Acts which have ever been passed into law. It would, therefore, be very extraordinary if that country were not in a more peaceable condition than she was at the commencement of last Session—though I believe the statement which was made by the Lord Lieutenant to the deputation to which I have referred was most inaccurate. Have not, for instance, threatening letters been constantly sent to those who were engaged in carrying out the law under the provisions of the Act of Parliament? But there is another point to which I wish briefly to advert. We are told that the Education Bill for Ireland is to be postponed because that country stands in need of a lull after the violent agitation of the last two years. Now, I must say that the Government have, in my opinion, exercised in that respect a very wise discretion. But what are the measures that are to come after the lull? I think we can gather somewhat of the nature of those measures from a speech made the other day by one Member of the Government. Mr. Monsell, the new Postmaster General, in addressing his constituents at Rathkeale, in the county of Limerick, not very long ago, after having met with what seems to have been a very enthusiastic reception, stated that—

> "The education question was simply an Irish question, and that no greater injustice could be inflicted on the Irish people than to force on them English and Scotch ideas respecting the way of educating their children."

Now, it is, I think, unnecessary to enter into any details to show what the views are which are entertained in Ireland upon this question. We are all aware that a very eminent Prelate, Cardinal Cullen, holds particular views on the subject, and coupling those views with the statement of the Postmaster General, we may form some notion as to the system of primary education which they would like to see adopted, seeing that, in their opinion, it should be in accordance with Irish ideas. But Mr. Monsell went on to speak on other topics. We all know that the Irish Church was disestablished and disendowed, if not almost entirely destroyed, by recent legislation, and that a Land Bill was passed for Ireland which, even in the opinion of Her Majesty's Government, was about as revolutionary a measure as has received the assent of Parliament for many years, and which we all thought would be a settlement of the question, at all events, for a long time to come. Mr. Monsell, however, intimated, while speaking in the highest terms of the Land Bill, "that it was the intention of the Government to supplement it by another measure in the course of a couple of years." Now, I must express a hope that Mr. Monsell was inaccurate in making that statement, although holding, as he does, a high position in the Government, I do not suppose that he would venture to make it unless on what he deemed to be sufficient grounds. I trust, however, that the noble Earl opposite (Earl Granville) will be able to-night to assure us that the statement is not quite in accordance with the intended policy of the Government, and that we are not to have another Land Bill in the course of two years' time. There is another subject connected with Ireland to which I wish to call your Lordships' attention. I have no doubt that a great many of your Lordships as well as myself have read with feelings of the greatest astonishment the decision which was lately arrived at with respect to the release of the Fenian prisoners, a great number of whom had been convicted by a jury of their countrymen, if not of treason itself, at all events of the crime of treason-felony, and some of whom had, if I mistake not, capital sentences passed upon them, although Her Majesty was graciously pleased to commute those sentences into transportation for life. One, if not more, of those, indeed, who were pardoned, was in reality something more than a political offender, inasmuch as he was implicated in the Clerkenwell explosion, or in the attack on the policemen at Manchester. But here, at all events, we have men who have been found guilty of treason-felony, and some of whom had capital sentences passed upon them, who have obtained their pardon, after having been imprisoned for about three years, on the condition that they gave their words not to come back to England or Ireland, and that is the mode in which the offence of treason-felony is dealt with by Her Majesty's Government. Why, my Lords, such a mode of proceeding seems to me to be nothing more nor less than holding out a premium to those who violate the laws of their country. And what is the result of this indulgence to the Fenian convicts? Why, the very next week one of the most important constituencies in Ireland returned to the British Parliament Mr. Martin, who is one of the strongest advocates for the repeal of the Union. The Government, however, were not satisfied with releasing the Fenians, and I would beg your Lordships' attention to what I am about to say, because the statement is so extraordinary that one can scarcely believe it to be true. That statement is that the Government, when those Fenians were released from prison, sent them out to America in one of the first-class steamers which ply between the two countries, and that each prisoner, in addition to a £5 note, received a suit of clothes. I fear, my Lords, a great many men who happen to be convicted of minor offences in this country, and who, having been imprisoned perhaps for robbing a hen roost, are obliged to beg their way from the place of their imprisonment to their homes, will think they have some cause for complaint under these circumstances, and why persons convicted of treason-felony should be treated better than such persons as those to whom I have just referred surpasses, I confess, my comprehension. Such a course of policy can, I fear, only lead to the commission of renewed political offences. I have, I am afraid, too long occupied the time of your Lordships in touching on the various topics mentioned in the Speech from the Throne; and while I wish especially to guard myself from being supposed to approve in any way what the Government may have done, or may be about to do, I hope my noble Friend opposite will believe me when I say I sincerely and cordially concur in the adoption of the Address. I may add that I trust the deliberations of the present Session may be such as to convince the world that, however much we may differ on questions of domestic policy, we are all prepared to unite in supporting any measures and submitting to any sacrifices calculated to promote the dignity and to ensure the safety of our common country.

Earl GRANVILLE: My Lords, I shall not trespass on the time of your Lordships more than a very few minutes. After the speech which has just been made by the noble Duke (the Duke of Richmond) it would be very ungracious on my part not to acquiesce in the course advocated by my noble Friend at the beginning and end of his address—that we should not now enter into any angry debate, or any serious discussion of the more important topics mentioned in the gracious Speech from the Throne. But before touching on any question whatsoever, I wish to be allowed to repeat what the noble Duke has said as to the unusual excellence of the speeches of the Mover and Seconder of the Address. I thank them on behalf of the Government, and I trust they will permit me to compliment them on the admirable manner in which they have discharged their duties on this occasion. The noble Duke (the Duke of Richmond) has complained much of the speeches which have been made by Mr. Bruce and some other Members of the Cabinet, and of those not made by Mr. Gladstone. Now, in replying to the remarks which have fallen from my noble Friend on that point, I must observe that I have been very busily engaged, and that I have not, therefore, been able to pay so much attention as perhaps I ought to have done to the speeches which have been delivered in different parts of the country during the Recess. But as to the speech of my right hon. Friend Mr. Bruce, I am perfectly sure that he never intended to express any feeling of exultation over the misfortunes of France:—if it were so, I, for one, cannot concur in that sentiment. I have been in a peculiar way, perhaps more so than any of your Lordships, connected with both France and Germany. I have close ties with both countries, and I have in both many intimate friends and connections. I have the greatest possible respect for the character of the Germans, and I shall never forget the kindness with which my family have for two generations been treated in France. Under such circumstances, your Lordships may easily conceive my personal feelings have been excited by the different phases the war has assumed in different manners; but once having been thought worthy to occupy the important Office I now hold in Her Majesty's Government, I have considered that in my dealing with both countries every personal feeling was to be absolutely put aside, and I have considered that my strict—and my only duty—was, with the assistance of my Colleagues, to carry out what we believed to be the wishes of the country in a fair and impartial, and I will add a cordial, neutrality, even though—as might naturally be expected—that neutrality might be deeply resented by both sides. I will now answer some of the questions put to me by the noble Duke. First of all, my noble Friend spoke of the Conference with respect to the Black Sea question, and seemed to complain that there was a want of explanation on the subject in the Speech from the Throne, and to be unable to understand how we got into the Conference with the consent of the co-signataries of the Treaty of 1856. The noble Duke alluded to the circular of Prince Gortchakoff, and my answer to it, and the official correspondence that ensued. While that correspondence was in progress a proposal was made by Prussia that the matter should be referred to a Conference, in order to arrive, if possible, at a peaceable solution of the question. My Lords, we thought it our duty, in conjunction with all our other Allies, to accept that Conference. We did not, however, accept it in the terms in which it was proposed—we could not consent that the Conference should be held at St. Petersburg :—but we did admit that it should be entered into provided it was done absolutely without any foregone conclusion ; and the place of meeting was to be—not at our request, or by our selection, the selection was made by the whole of Europe — at London, as the most convenient to all. The noble Duke expressed surprise that all the Powers should have acquiesced in the Conference, and yet that France should not be represented at it. It was perfectly open to France to say—"This is not the time for such a Conference : I will have nothing to do with it, and will not be present at it." But, as a matter of fact, she did not hold such language. She held with England that the Conference was a good thing in itself, and that it would be an advantage for France to be represented at it. But when the time came for sending over a representative difficulties arose, and on that account we postponed the meeting of the Conference week after week in order that the difficulty might, if possible, be overcome. France had a perfect right to select one for her representative who should be best adapted to state her views ; but she did not, as the other Powers had done, select her representatives in London. M. Favre, the highest representative of the French Government, himself proposed to come ; but up to this day—and I can perfectly understand the honourable reasons which have actuated his conduct—he has never been able to attend the Conference or to name a substitute. Now, the acquiescence of France in the Conference having been given, and the Conference having been summoned to settle in a peaceful way the question which had arisen with regard to the Black Sea, Turkey, the party most interested, though very desirous to have a French representative present, preferred, whatever might happen, that there should be no delay in proceeding with its deliberations ; and as the Plenipotentiaries of all the other Powers—whether more friendly to Russia, to Germany, or to France—were ready to enter into friendly and amicable discussion, we were of opinion that, with the exception of giving some delay, it would be absolutely impossible that England alone should refuse to join in a Conference which had been summoned by unanimous consent. Accordingly we met. I cannot explain to you what has passed in the Conference, or what is likely to result from it, as it is not yet finished ; but I think it is no indiscretion on my part to say that any arrangements we come to will be merely indications of what, in hope of the adhesion of France, we are prepared to embody in a Treaty to be signed some time after the conclusion of peace. I should like to add one word more. On the first day that we came into the Conference, we passed such resolutions with regard to the public law of Europe as placed me on a friendly footing with every Plenipotentiary present, and cleared the way for the consideration of such arrangements as might be best made by the Conference. The noble Duke (the Duke of Richmond) also asked for some details, which it will not be improper for me to give, with respect to the difficult questions which exist between this country and the United States. Our proposal was simply this—that a joint Commission should be appointed by the two countries not to settle, but to consider the mode in which the different questions in dispute between the Dominion and the United States should be best placed in a way of settlement. The rejoinder to that proposal from the United States was that those claims also which are commonly, though, indeed, incorrectly, called "the *Alabama* claims"—claims which arose out of the great American War—should be referred to that Commission. We stipulated that in that case all the claims of British subjects should be so referred ; and by common consent, in a spirit of mutual respect and friendly feeling, both claims being so referred, we had great pleasure in adopting the arrangement as compatible with the honour of both countries and the respect due from each to the other. We originally proposed that the Commission should consist of three members appointed by each country ; but it being the desire of the President of the United States that there should be on each side five members, so as to represent all the different shades of opinion in that country, we concurred in that view. It may not be out of place to mention the members appointed on our side. They are my noble Colleague the Earl de Grey and Ripon, the Lord President of the Council, who, although he was only requested to take the post on Monday last, will leave Liverpool the day after tomorrow. He will be accompanied from this country by only one other Commissioner, a gentleman of great erudition on questions of International Law—Mr. Montague Bernard. They will be met in the United States by our other Commissioners, who will be our excellent diplomatic representative at Washington, Sir Edward Thornton, Sir John Macdonald, the Prime Minister of Canada, and, as we hope, Sir John Rose, whose knowledge of Canada and of the United States will make him a valuable member of the Commission. I am sure the noble Duke opposite will appreciate the value of his services. The Secretary will be a gentleman whose services in the same capacity to the Neutrality Laws Commission were found to be most useful—Lord Tenterden. As far as we at present know, the Commissioners of the United States will be Mr. Fish, Secretary of State, General Schenck, their lately-appointed Minister to this country, ex-Judge Neilson, Mr. Williams, Chairman of the Foreign Affairs Committee, and a gentleman who has lately been Attorney General in the United States. I can only express a hope that when your Lordships see the instructions drawn up for the guidance of our Commissioners, which it is impossible for us now to produce, you will say that, while framed in a friendly spirit, they contain nothing in the least derogatory from the honour of this country. My noble Friend (the Duke of Richmond) alluded to an unfortunate vote taken in Congress the other day. I regret it. I think it is just one of those things that will probably be regretted in America itself by all who are most qualified to form an opinion. It seems to me, however, that we should not allow a vote of that kind to interfere with any negotiations for the settlement of the claims in question. Certainly this country would be a loser if we were once to admit the principle that international arrangements might be interfered with by foolish speeches made, or reckless votes now and then passed in the Legislature of either country. I do not know that there is any other question of importance with reference to Foreign Affairs to which I need allude. We shall lay on the Table all the Papers—some of them of the greatest interest and importance—and I have no doubt they will be considered and discussed in a fair spirit, and with that absolute freedom from party feelings which marks the debates on foreign affairs in this House. The noble Duke talked of the Army, and said he would not anticipate the measures which the Government were about to bring forward on the subject; but then he made one or two criticisms which were not quite correct. He complained that Mr. Cardwell, at the beginning of last year, disbanded 20,000 men merely to call them back again to the Army in the autumn.

THE DUKE OF RICHMOND: I beg your pardon. I said that, as a matter of economy, it was more costly to disband 20,000 efficient troops, and then to enlist 20,000 recruits, than to keep the troops you had. I wanted to show that the economical plans of the Government would not prove so economical in the end.

EARL GRANVILLE: I hope the noble Duke will pay attention to the economical question, because, although it has not found a place in the Royal Speech to-day, Her Majesty's Government have not the slightest intention to ignore it; and though we think the augmentation of the Army will necessarily increase the Estimates, we hope, having regard to the increased number of men to be enlisted into the service, to effect economy by having regard to greater efficiency. When the noble Duke speaks of this reduction of men as a question of mere economy, I really can hardly understand his reasoning. We have brought a very large number of men into this country. Reductions were made, it is true, in the earlier part of the year; but afterwards a state of things arose as different as can be possibly imagined from what had so long existed. Europe was perfectly at peace when these reductions were made, and when this great war broke out we thought it necessary, not to an enormous extent, but to a certain degree, to add to the force of the Army in England. The noble Duke said we lost good men and supplied their places with less efficient ones; but I believe the reverse is actually the case, and that out of the 20,000 got rid of in the first instance many were entirely worn out, some had come from India, and others were bad characters—for, of course, every regiment got rid of their worst men and those whom it was most desirable to part with. By this time I hope the recruits who have been taken are equal, if not superior, to those whose places they fill up. Then the noble Duke made an attack upon us because the Volunteers are not well armed. To this I reply that they will be well armed with Snider rifles, of which 100,000—sufficient for two-thirds of the Volunteers—have been already furnished, and the rest will be furnished very shortly. With regard to the Admiralty, I think the noble Duke asked me who was responsible for the affairs of the Department during the absence of the First Lord. In reply to that I have to say that all the Estimates were prepared by Mr. Childers. Everything has been settled in the usual way, and the affairs of the Admiralty are conducted exactly in the same manner at this moment as they were on former occasions, when, for the sake of a holiday, or in consequence of temporary indisposition, the First Lord has been away. The next question was with regard to Ireland; and the noble Duke tried to diminish any feelings of satisfaction which we derive from the belief that certain remedial measures may have contributed to the general contentment of Ireland—although, no doubt, most painful exceptions exist in a very small part of Ireland—principally in Westmeath. As to what the noble Duke said of the recent release of the Fenian prisoners, I may remark that in no country have political offenders been looked upon exactly in the same light as habitual criminals; and there is another point to be considered—you must take into account the effect which severity of punishment always has in exciting sympathy for political offenders on the part of large masses of the community. As to the matters of detail referred to by the noble Duke, I am not acquainted with them. These persons, it should be remembered, had been four years in confinement, and if they were supplied with clothes that surely was not unreasonable. I may mention, too, that in all our well-regulated gaols the prisoners have the means of amassing a certain sum of money by their labour in the prison, and, consequently, they get a small sum to draw on their release. The noble Duke, in adverting to the different Bills mentioned in the Queen's Speech, very properly refrained from discussing them at any length, as they cannot be discussed in a satisfactory manner until your Lordships are acquainted with their provisions. I repeat, I think the noble Duke exercised sound judgment in abstaining from angry discussions on the first day of the Session, and I am much gratified at the graceful compliment he paid to Her Majesty, whom we were all so glad to see among us again — though, of course, I am aware of his warning, that we must not reckon on any lengthened armistice with regard to what we have done or are going to do in the present Session.

THE EARL OF HARDWICKE said, that one of the most important topics which could engage the attention of Parliament was the condition of the Navy. It was only by her Navy that this country could be defended, and it was of the utmost importance that the Navy should be maintained in a state of thorough efficiency. We ought to have a perfect service for the transport of troops on any sudden emergency, and especial care should be taken that all our coal depôts should be well defended, for coals formed the strength of modern navies. These were important subjects, which demanded the most careful consideration at the hands of their Lordships and of Her Majesty's Government.

Address *agreed to, nemine dissentiente*, and ordered to be presented to Her Majesty by the Lords with White Staves.

THE CHAIRMAN OF COMMITTEES OF THIS HOUSE.

EARL GRANVILLE: My Lords, I rise with very great pleasure to make a Motion which I have made for now a considerable number of years following, although I am sorry to say the pleasure is not at the present moment altogether unmixed. Your Lordships are aware that Lord Redesdale has been very seriously indisposed; but I have had a communication from him this afternoon which is of a more favourable character. I am sure that the proposition I have

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to make for the re-appointment of so esteemed a Member of this House, who has so ably performed the duties of Chairman of Committees, will be at once agreed to.

The Duke of RICHMOND: I have very great pleasure in seconding the Motion of the noble Earl. I am glad to hear that my noble Friend is so much better, and I hope before long he will be able to fill the Chair with the same ability which has hitherto so much distinguished him.

Appointed, *nemine dissentiente*, to take the chair in all Committees of this House for this Session.

Committee for Privileges — Appointed.

Sub-Committee for the Journals—Appointed.

Appeal Committee—Appointed.

House adjourned at Eight o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, 9*th February*, 1871.

The House met at half after One of the clock.

A Message from Her Majesty, by Sir Augustus Clifford, Gentleman Usher of the Black Rod—

"Mr. Speaker,

"The Queen commands this Honourable House to attend Her Majesty immediately, in the House of Peers."

Accordingly, Mr. Speaker, with the House, went up to attend Her Majesty;—And having returned;—

NEW WRITS DURING THE RECESS.

Mr. Speaker acquainted the House, that he had issued Warrants for *New Writs, for* Surrey (Western Division), *v.* John Ivatt Briscoe, esquire, deceased; *for* Shrewsbury, *v.* William James Clement, esquire, deceased; *for* Surrey (Middle Division), *v.* Hon. William Brodrick, now Viscount Middleton; *for* Colchester, *v.* John Gurdon Rebow, esquire, deceased; *for* Newport (Isle of Wight), *v.* Charles Wykeham Martin, esquire, deceased; *for* Meath County, *v.* Matthew Elias Corbally, esquire, deceased; *for* Durham City, *v.* Robert Davison, esquire, Judge Advocate; *for* Newry, *v.* William Kirk, esquire, deceased; *for* Limerick County, *v.* Right Hon. William Monsell, Postmaster General; *for* Norfolk (Western Division), *v.* Hon. Thomas De Grey, now Lord Walsingham.

NEW MEMBERS SWORN.

Right Hon. William Monsell, *for* Limerick County; Charles Cavendish Clifford, esquire, *for* Newport (Isle of Wight); Sir Dominic D. Corrigan, baronet, *for* Dublin City; Lee Steere, esquire, *for* Surrey (Western Division); Viscount Newry, *for* Newry; Douglas Straight, esquire, *for* Shrewsbury; Sir Richard Baggally, *for* Surrey (Middle Division); John Robert Davison, esquire, *for* Durham City; Alexander Learmonth, esquire, *for* Colchester; George William Pierrepoint Bentinck, esquire, *for* Norfolk (Western Division); Sir Robert Collier, *for* Plymouth.

NEW WRITS ISSUED.

For Galway County, *v.* Hubert De Burgh Canning, commonly called Viscount Burke, Chiltern Hundreds; *for* York City, *v.* Joshua Proctor Brown Westhead, esquire, Manor of Northstead; *for* Ripon City, *v.* John Hay, commonly called Lord John Hay, Chiltern Hundreds.

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read the first time; to be read a second time.

THE QUEEN'S SPEECH FROM THE THRONE.

Mr. SPEAKER *reported*, That this House has, this day, attended Her Majesty in the House of Peers, when Her Majesty was pleased to make, by Her Chancellor, a most gracious Speech from the Throne to both Houses of Parliament; of which, Mr. Speaker said, he had, for greater accuracy, obtained a Copy:—

And Mr. SPEAKER read it to the House.

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

MR. J. G. C. HAMILTON: Mr. Speaker—Sir, the House must, I am sure, be impatient to hear the great events which have happened in Europe since it last met, and their effect on the policy of this country, discussed by those in whose opinions it is in the habit of placing confidence. I can only suppose that it is a wish to pay a compliment to the country to which I belong, and the constituency which I represent, which has led to my being entrusted with my present honourable duty. In fulfilling that duty, I feel that I have every reason to appeal to the forbearance which the House always shows to those who are not in the habit of addressing it.

In proposing that an humble Address be presented to Her Majesty in answer to the gracious Speech which she has been pleased this day to deliver from the Throne, I am sure I express the feeling of this House when I say that the presence of Her Majesty in person has been a great gratification to Her Parliament and people, and has added lustre to the opening of our Session.

The announcement which Her Majesty has been pleased to make of the approaching marriage of Her Royal Highness the Princess Louise must have been received by this House with the deepest interest, as it is an alliance so likely to promote the happiness of one of the Royal Family, and bind it still more closely to the hearts of the people. The presence of members of the Royal House in these islands can but add to the loyalty of their inhabitants; and I think we, for our part, have every reason to congratulate ourselves when they have no home but this country, when here are their pleasures, here are all their interests, and that thus they are made one with the nation in sympathy and feeling.

That portion of Her Majesty's Speech which relates to our foreign policy speaks of a most momentous period. Though measured only by a few months, events have occurred in it which may influence the history of this world for ages to come. Two nations, both our allies, both of whose rulers have sometimes given us cause to regret their policy, but still more often to sympathize with it, have struggled for the mastery. They have fought until there can have been but one feeling amongst us, of heartsoreness at the terrible carnage. It is not so much when one thinks of those who have died a soldier's death, fighting for their country; but when we think of the widowed wives, the starving children, the burnt homes, one cannot but wonder whether the maxims of our common Christianity have not been utterly forgotten. There is now a lull in the storm—God grant that it may be a sign of the end. Let us hope that the victors may show that magnanimity which is sure to be its own reward; let us hope, also, that when our sister Assembly across the Channel meets, under far different circumstances to those in which we meet to-day, proposals of peace will be laid before it which it may honourably adopt, and that the peace so concluded will be both immediate and lasting.

We are informed, Sir, that during the Recess Her Majesty's Government have followed the policy which was announced in the Speech at the close of last Session—that they have done their best to maintain the rights and strictly perform the difficult duties of neutrality, and that they have endeavoured to prevent an enlargement of the area of the war. They have also watched anxiously for an opportunity of procuring peace, and with that view have endeavoured to bring the combatants into communication. I sincerely hope that peace will result from their action. When, however, we see a war waged so fiercely as the present one, when not only two Governments but two nations are determined, the one to claim a large cession of territory, of which the other is equally determined not to yield one inch, the interference of neutrals becomes absolutely impossible. My own opinion on this point is a most decided one; I believe that at no period in this war would it have been possible for this country to interfere actively either on one side or the other. Granting this, it would, I think, have been beneath our dignity to offer remonstrances which might not have been received, and which could scarcely have been compatible with the neutrality which we professed. In the interest of civilization also it was our duty to do our best to limit the area of the war as much as possible, and any active interference on our part would have had an exactly contrary effect. The position of neutrals must have been felt as irksome by many; but I think this might have been prophesied, and is seen in every situation of life. When a contest is going on, those who by conviction are neutrals feel prompted, some from generosity of disposition, others from the mere love of fighting, to take part in the fray. The combatants themselves, especially the weaker one, naturally appeal for help to the bystanders. The result is that neutrals, however justified in their neutrality, must expect to be blamed, certainly by some amongst themselves, and by one or both of the combatants. The time, however, Sir, has, I hope, now arrived when it will be possible for us to interfere actively in the hope of procuring peace; and if we are successful, I hope the peace will be a lasting one—not a mere patched-up agreement, but a peace which will restore tranquillity to Europe. The negotiations will be arduous, all the more so that France has hardly yet decided who is to have a right to speak in her name.

Her Majesty expresses her regret that she has been unable formally to accredit her Ambassador to the Government of Defence; but to lay too much stress on this point would, I think, be unwise, as it would imply that this country had a claim to control the choice by another country of its own Government—a claim which I believe we should most certainly repudiate. The Government have always, I believe, been ready to treat with the French nation by whoever it might be represented.

Her Majesty has congratulated the King of Prussia on his acceptance of the title of Emperor of Germany—a title testifying to the greatness and importance of his kingdom. I hope he will be led to think that greatness sufficient, without making an addition to it, to guarantee him against foreign aggression.

Communications from different foreign Powers have led to the holding of a Conference, which is now sitting. Generosity to a great nation, must, I think, be a sufficient reason for wishing that France should be represented at it. No agreement come to without her knowledge and concurrence, could, I think, possibly be permanent. So far as we ourselves are concerned, I believe we may feel confident that the Government and the noble Earl who holds the seals of the Foreign Office will act as is his wont in a manner both courteous and dignified, and at the same time jealous of the honour of his country. I hope and believe the result of the Conference will be to uphold the performance of their duties by contracting Powers, and show that treaties are not made to be broken.

I am sure it is the wish of the country and of this House that our relations with America should be satisfactory. Questions have arisen between the United States and the Dominion of Canada on different subjects. They relate principally to matters of detail, and a Commission has been appointed to which they as well as the *Alabama* question will be referred. I hope the result will be a satisfactory settlement.

This country has always taken such interest in, and has made so many sacrifices for Spain, that we must, I am sure, rejoice in the prospect of her having a stable Government under a member of the House of Savoy.

The House will scarcely be surprised to hear that the inquiry into the outrages in Greece by its Government and tribunals has not been carried on in a thoroughly satisfactory manner. The melancholy events which took place last year give this country every right to insist that even-handed justice should be done.

The Chinese Government have shown every wish to give satisfaction for the outrages which were committed in one of their cities. It is a proof of our improved relations that this is likely to be secured by diplomatic action alone.

The House will have been glad to learn from the Royal Speech that, notwithstanding the frightful war that has been raging in Europe, our own relations with foreign Powers are satisfactory. Papers on the subjects to which I have referred will be laid before the House.

The condition of trade and industry is, with the exceptions which are within the personal knowledge of hon. Members, satisfactory, and consequently the Revenue is flourishing. In the present state of affairs, however, we must look for larger Estimates.

There is much in the subjects to which I have attempted to draw your attention which reminds me of an old proverb, which I only allude to because I saw it paraphrased the other day by the Prime Minister of one of the neutral Powers. He said that—"To secure peace we should be prepared to ward off aggression." I believe Her Majesty's Government will endeavour to be so prepared; but this will involve great military reform and probably increase of expenditure. The armies of Europe are no longer collections of armed men selected for the defence of their country, and which before acting offensively must be increased in number and organized for the field. If this were so now, our old plan of Ministers coming down to this House in the time of danger, and asking for their 20,000, 50,000, or 100,000 men, and power to call out the Militia, might be sufficient. They are, on the contrary, armed nations, ready, at a moment's notice, to defend themselves, or what affects us more closely, to strike a blow whilst the word which provokes it is scarce spoken. Whole classes amongst them devote their lives to the science of war. Every requirement of the State, learning, trade and manufactures, are made to give way to the one object of having an overwhelming army. In our insular position and with our great naval power, it is, I hope and believe, unnecessary for us to follow their ruinous example. The House will, however, I believe, agree with Her Majesty's Speech that the lessons of military experience afforded by the present war are numerous and important. We have seen, I think, that young soldiers are as good or better than old soldiers; that well-drilled men dismissed to their homes and called out again when required are not only cheap but efficient soldiers; that it is absolutely necessary for officers to devote themselves more than they have been in the habit of doing to the science of their profession; and that it is too late to organize an army when war has already broken out. When war was declared in July last France had to bring her soldiers from one corner of the country to another to join their regiments; the stores from another corner and the officers from another; all according to orders, sent to each from the War Office. In Germany, on the contrary, so soon as its army was mobilized, drilled men, who had returned to their homes, went to the nearest town where arms and stores were ready for them, and well-trained officers ready to enrol them according to a pre-arranged system, and, so soon as they had been organized, to constitute them into an army. And all this was done by a Government which is acknowledged to be the most economical in the world. How different are the facts in this country! We have a regular Army under its own officers, pensioners under theirs, Militia under one command when embodied, and another when disembodied, with Yeomanry and Volunteers partly under the War Office and partly not, and all these have no connecting link between them except one solitary Staff officer, who has to look after some 20,000 men, and he did not exist a year ago. Though we have, I believe, 400,000 men or more in the country, what can they do with such an organization. To take an instance of the present state of things. Supposing there happened to be in a country town 10 disembodied Militia sergeants on full pay doing nothing, and in the same town a detachment of regular soldiers, recruits, or some Volunteers in urgent need of drill and instruction, no human being that I can find out could order those sergeants to give that instruction. I will only add that whilst other nations have made their armies more and more local, we have made ours less so.

I am no preacher of panic; on the contrary, I think that the alternate fits of over-confidence and terror to which this country is a victim are a disgrace to it. But I believe that great reforms are only made amongst us when the public attention and interest are excited. This is now the case; let us therefore go thoroughly into the question and get the efficient army we most undoubtedly pay for. Holding these views, I am glad to see it stated that a Bill is to be introduced for the better regulation of the Army and the auxiliary Land Forces of the Crown.

I regret that I should have taken up so much of the time of the House on these subjects, which, I hope, will not occupy a proportionate portion of the Session, and that time will be found to pass the important measures of domestic legislation promised in the Speech.

The University Tests Bill stands first, and will, I hope, become law. During the last two Sessions so much time has been occupied by Irish legislation that the House must be glad to find that the state of that island shows a gratifying contrast with its state in the preceding winter, with, I am sorry to say, some partial and painful exceptions. The alteration of the status of the Church there renders an Ecclesiastical Titles Bill absolutely necessary. So much of the prosperity of this country depends on the existence of good feeling between employer and employed, that the House will be glad to see that the Government intends to deal with the question of Trades Unions. There is another Bill—the Mines Regulation Bill — which I should have liked to see mentioned, but which I am glad to hear is not forgotten. The Courts of Justice Bill will make an important improvement in the Appeal Courts of England. A Local Burdens Bill is to be introduced. The patience with which local taxation is borne, compared to the impatience to Imperial taxation, has always been a wonder to me. Now that the Government have taken the subject up, I trust they may be able to devise some plan by which local rates may be better managed, and some relief may be afforded. The Bill on secret voting will introduce an important reform into the machinery of our representation; and the Licensing Bill will be looked forward to with great interest. In one of the last paragraphs of the Speech it is truly said that an Education Bill is anxiously looked for in Scotland. It is many, many years ago since a Scotch Education Bill first appeared on the Table of this House, and many others have succeeded it; though some have been very near it, none have become law. I can only hope that Scotland may be rewarded by now getting an Education Bill that may be all the better for the delay. I trust the House will excuse me for suggesting the possibility that a few hours before midnight and even before Easter may be given to this and other Scotch Bills which are urgently required.

It only remains for me, Sir, to thank the House most sincerely for the kindness with which it has received what I have said; and before reading the Address—which I have endeavoured, however feebly, to induce them to adopt—I will express my belief that if the measures proposed in it are adopted, and the policy suggested in it is followed, it will tend to the good government of our country at home, and to the security of our honour abroad. The hon. Gentleman concluded by moving—

"That an humble Address be presented to Her Majesty to convey the thanks of this House for Her Majesty's Most Gracious Speech delivered to both Houses of Parliament:

"Humbly to thank Her Majesty for informing us that in accordance with Her Majesty's promise to pay constant attention to the subject of neutral obligations, Her Majesty has maintained the rights and strictly discharged the duties of neutrality during the war unhappily prevailing between France and Germany, which we trust, with Her Majesty, may, under the influence of moderation and forethought in the councils of both parties, shortly be terminated:

"To thank Her Majesty for endeavouring to prevent the enlargement of the area of the war, and to contribute to the restoration of an honourable peace, and to assure Her Majesty that we rejoice that the sphere of the war has not been extended beyond the two countries originally engaged:

"Humbly to thank Her Majesty for informing us that She has forborne from whatever might have been construed as gratuitous or unwarranted interference between parties, neither of whom had shown a readiness to propose terms of accommodation, such as to bear promise of acceptance by the other; and that She has been enabled, on more than one occasion, to contribute towards placing the Representatives of the two contending countries in confidential communication; though, unfortunately, until famine compelled the surrender of Paris, without any further result:

"Humbly to unite with Her Majesty in praying that the suspension in the constant accumulation on both sides of human suffering, which has been brought about by the Armistice now being employed for the Convocation of an Assembly in France, may result in a peace compatible, for the two great and brave nations involved, with secucurity and with honour, and likely therefore to command the approval of Europe, and to give reasonable hopes of a long duration:

"Humbly to thank Her Majesty for informing us that, though She has been unable to accredit Her Ambassador in a formal manner to the Government of Defence, which has subsisted in France since the Revolution of September, neither the harmony nor the efficiency of the correspondence of the two States has been in the smallest degree impaired:

"Humbly to thank Her Majesty for informing us that She has offered Her congratulations to the King of Prussia on his acceptance of the title of Emperor of Germany at the instance of the chief authorities of the nation, and to assure Her Majesty that, with Her, we trust that this event, which bears testimony to the solidity and independence of Germany, may be found conducive to the stability of the European system:

"To thank Her Majesty for endeavouring, in correspondence with other Powers of Europe, to uphold the sanctity of Treaties, and to remove any misapprehension as to the binding character of their obligations; and to assure Her Majesty that, with Her, we confidently trust that the result of the deliberations of the Conference (which it was agreed by the Powers, co-signatories of the Treaty of 1856, should meet in London, and which has now been for some time engaged in its labours), may be to uphold both the principles of public right and the general policy of the Treaty, and at the same time, by the revision of some of its conditions in a fair and conciliatory spirit, to exhibit a cordial co-operation among the Powers with regard to the Levant:

"Humbly to assure Her Majesty that we share in Her regret that Her earnest efforts have failed to procure the presence at the Conference of any representative of France, which was one of the chief parties to the Treaty of 1856, and which must ever be regarded as a principal and indispensable Member of the Commonwealth of Europe:

"Humbly to thank Her Majesty for informing us that She has engaged in amicable communications with the President of the United States for the settlement of the several questions of importance which are not yet adjusted between the United States and the territories and people of British North America; and that She has suggested the appointment of a joint Commission, and agreed to the proposal of the President that this Commission shall be authorized at the same time, and in the same manner, to resume the consideration of the American Claims growing out of the circumstances of the late war:

"To concur with Her Majesty in hoping that the establishment of a Prince of the House of Savoy on the Throne of Spain, by the free choice of the popularly-elected representatives of the Spanish nation, will insure for a country, which has passed with so much temperance and self-control through a prolonged and trying crisis, the blessings of a stable Government:

"To join with Her Majesty in regretting that the inquiry which was instituted by the Government of Greece into the history of the shocking murders perpetrated last spring at Dilessi has not reached a termination answerable in all respects to Her Majesty's just expectations; and to thank Her Majesty for Her promise not to desist from Her endeavours to secure the complete attainment of the objects of the inquiry:

"To assure Her Majesty that we learn with pleasure that the anxiety, which the massacre at Tien-tsin on the 21st of June last called forth, has happily been dispelled, and that it has been Her Majesty's earnest endeavour to provide for the security of Her subjects and their trade in those remote quarters, while recognizing the Chinese Government as entitled to be dealt with in its relations with this Country in a conciliatory and forbearing spirit:

"Humbly to thank Her Majesty for informing us that, during these critical times, Her relations are as heretofore, those of friendship and good understanding with the Sovereigns and States of the civilized world; and for directing that Papers illustrative of the conduct of Her Majesty's Government in relation to the several matters on which She has touched, should be duly laid before us:

"Humbly to thank Her Majesty for informing us that She has approved of a marriage between the Princess Louise and the Marquis of Lorne, and to assure Her Majesty that we trust that this union may be prosperous and happy:

"Humbly to thank Her Majesty for acquainting us that the Revenue of the Country flourishes, and that the condition of trade and industry is on the whole satisfactory; and for directing that the Estimates for the coming year should be promptly laid before us:

"Humbly to assure Her Majesty that in reviewing the important lessons of military experience afforded by the present war, and in endeavouring to turn such lessons to account by efforts more decisive than heretofore at practical improvement, we shall not fail to bear in mind the special features in the position of this Country, so favourable to the freedom and security of the people; and if the changes from a less to a more effective and elastic system of defensive military preparation shall be found to involve, at least for a time, an increase of various charges, that we shall not grudge the cost so long as we are satisfied that the end is important and the means judicious:

"To assure Her Majesty that we shall give our anxious and impartial consideration to the Bill for the better regulation of the Army and the auxiliary Land Forces of the Crown, which She has directed should be laid before us, as well as to the work of general improvement in our domestic legislation, including the several measures brought before us during the last Session of Parliament, but which the time remaining at our disposal, after we had dealt with the principal subjects of the year, was not found sufficient to carry to a final issue :

"To thank Her Majesty for informing us that the inquiry made by a Committee of this House into the question of Secret Voting is now complete, and that a measure on that subject will be placed before us on an early day ; and to join with Her Majesty in trusting that the question of Primary Education in Scotland may this year be adjusted by the enactment of a just and effective Law :

"Humbly to thank Her Majesty for informing us that the condition of Ireland with reference to agrarian crime has, in general, afforded a gratifying contrast with the state of that island in the preceding winter, although there have been painful, but very partial, exceptions :

"Humbly to concur with Her Majesty in thinking that after the great measures of the two last Sessions which have so recently passed into operation, and which involve such direct and pressing claims on the attention of all classes of the community, a period of calm is to be desired ; and to join with Her Majesty in considering it wise to refrain from the discussion of any political question likely to become the subject of new and serious controversy in that country :

"Humbly to assure Her Majesty that we fervently join in Her Majesty's prayer that all our designs may receive the favour and aid of the Most High.

Mr. MORLEY : Sir, I rise to second the Motion for an Address in Answer to the Speech from the Throne ; and I also must ask for the forbearance of the House while I briefly perform that duty. I share in the general pleasure experienced by the presence of Her Majesty in opening the Session, and I am sure that the terms in which my hon. Friend the Mover of the Address referred to that presence will be responded to by every Member of the House, and will be accepted throughout the country. I feel convinced that the more Her Majesty shows herself among her people the more thoroughly will affection towards the Throne be rooted among her subjects.

Sir, the House has assembled at a solemn crisis, when, in the words of the Royal Speech,—

"The ravages of the war may be renewed, after but a few days more, unless moderation and forethought, prevailing over impediments, shall sway the councils of both the parties, whose well-being is so vitally concerned."

At such a moment I desire to abstain from uttering a word which might be likely to interfere with that unanimity which is so desirable in approaching the Throne on the first night of the Session. I believe that the conviction exists throughout the country that the Government has performed the promise they gave at the close of last Session, and that constant attention has been paid to the subject of our neutral obligations, and that they have employed their best endeavours to prevent the enlargement of the area of the war. My conviction is that the exertions of the Government in that direction have sent a feeling of thankfulness and a sense of security into thousands of homes throughout this country, and that we have been pursuing our commercial and other engagements in the conviction that the Government was keeping the country out of complications with the tremendous conflict which has been raging on the Continent ; and I am sure that all will join in the prayer that the present suspension of hostilities may result in a peace compatible with the honour of the two great and brave nations which have been involved in strife.

The paragraph in the Speech which gives expression to a hope that the result of the Conference which has assembled with regard to the Treaty of 1856 will be—

"To uphold both the principles of public right and the general policy of the Treaty, and, at the same time, by the revision of some of its conditions in a fair and conciliatory spirit, to exhibit a cordial co-operation among the Powers with regard to the Levant,"

will, I believe, receive a hearty acceptance in every quarter. We must all greatly regret the absence of any representative of France from the Conference ; but we must, at the same time, confess that for that absence France is not responsible.

I cannot pass the reference to the misunderstanding between this country and America without some notice. It would, I believe, be difficult to overrate the importance attached out of doors to the desire that all matters in dispute between this country and the United States should be settled on terms fair and reasonable, and that an end should thus be put to the misunderstanding which has so long existed. There is abundant evidence that among the native Americans there exists a feeling of strong affection towards the "old country," and that the continued hostility which has been exhibited towards this country is chiefly confined to those of alien birth. I confess myself to be one of those who believe mistakes to have been made on both sides, and that it is due to ourselves, as well as to our Transatlantic kinsmen, that we should show a disposition to make amends for any injury we may have done them, if any such can be shown to have arisen from intention or from our default. There can be nothing unworthy or undignified in showing a desire to avert even the prospect of a suicidal war, or in placing two great nations, allied by race and language and by sympathy, on those terms of uninterrupted amity, which every Member of this House must desire to see established. It may even be regarded as a subject of congratulation that the dispute as to the Fisheries is so pressing as to have led to the appointment of a Commission, by which, on the invitation of the President of the United States, all matters in dispute between the two countries may be considered and disposed of.

I cannot leave the subject of Foreign Affairs without turning to the other side of the picture, and asking whether nothing can be done to lead to the establishment of some international tribunal, to which might be referred misunderstandings between one country and another, which, although serious in their results, are generally trifling in their origin. I should be glad to know, too, whether we cannot do something that might lead to a system of general disarmament, by which a constant source of danger would be at once removed, so that we might all breathe more freely, and not be continually exposed to the danger of witnessing or being engaged in conflicts and slaughter, against which our civilization so strongly revolts. Our commerce, our civilization, and, above all, our Christianity alike protest against the enormous wickedness and inhumanity of war. It may be Utopian, in face of the war now raging on the Continent, to hope that the common sense of the world will ever be strong enough to adopt such a plan of settling the disputes of nations; but I speak under the influence of the agony and desolation to which the people of France have lately been subjected, and I cannot help pressing the subject on the attention of the Leaders on both sides of the House, and I believe all will agree that some attempt at least should be made in this direction.

I join most heartily with my hon. Friend (the Mover) in his congratulations on the approaching Royal marriage. I think it a matter of national congratulation that Her Majesty should, by sanctioning the marriage between a daughter of the Royal House and one of her distinguished subjects, have cast aside a custom more honoured in the breach than the observance, and that Her Majesty, by approving a marriage dictated by the heart's affections rather than by reasons of State expediency, should add another example in the Royal Family of domestic happiness and virtue.

With reference to the condition of our trade and industry, I believe that the great industries of this country were at no time better employed since the panic of 1866 than they are at this moment, although the effects of that panic have since that time hung over us like the poison of the Upas tree. No doubt the profits of trade have not been so large as in former years; but we have, during the past year, done a very considerable trade, and with some few exceptions the commerce of the country has been satisfactory. The Returns of the Board of Trade show that our exports during the 11 months ending 30th November last, exceeded those of 1868 by £18,000,000, and those of 1869 by £8,000,000, notwithstanding the interruption of our large transactions by the war between France and Germany; in the case of Germany showing a falling off of £3,000,000.

At the same time, while it is satisfactory to know that trade is prosperous and that there is a larger amount of employment in the manufacturing districts than has been the case since the panic of 1866, there is a melancholy reverse to the picture, and it seems that there are large portions of our population who have sunk into a state of chronic and apparently hopeless misery. Still, it is the opinion of those connected with the Poor Law that we are at last really turning the corner with regard to the condition of our very poor, and that our prospects are undeniably more hopeful than they have been for a long period. This subject is one which deserves, and no doubt will receive, the attention of the House; for with constant occupation for our workpeople, there is always a class, large in number, barely existing, and almost always at starvation point. The subject is one which requires to be dealt with, and I earnestly recommend it to both sides of the House as a question, the solution of which would be most beneficial, why such a painful and dangerous state of things should exist. Should inquiry be determined upon I shall be most glad to give my zealous co-operation.

With regard to military matters, I am only a learner. I can only repeat what I hear in all quarters—and it is a conviction I personally share—that the efficiency of our Army does not correspond with its cost; and that as to both officers and men promotion ought to be secured by merit and not by money or favour. I trust that the House will not deal with the question in any feeling of panic, and be tempted under the influence of such a feeling to indulge in any large expenditure. Above all, if we have an increase in the Estimates we ought to take care to receive at the same time a guarantee that there shall be a corresponding increase of efficiency. If we must have soldiers let us have real soldiers, and the British taxpayer will not object to pay for them. But the House should bear in mind that it is very possible to have increased Estimates without increased efficiency.

I will now venture, with all earnestness, to appeal to Members on the other side of the House to assist in a settlement of the long-vexed question with regard to University Tests. There has never been less bitterness with reference to this controversy than now, and the moment is therefore, in my belief, one peculiarly suitable for arriving once and for ever at a final settlement of the question. The tests are most felt among the great middle class of the country. The middle class, in which the great strength of Dissent lies, has been rising in wealth and social influence for years past, and they appeal confidently to the Legislature to give them, on fair and equal terms, that higher cultivation which they feel they need, and which they know well enough how to employ, if the opportunity for its acquirement were afforded them. It is only recently that I witnessed the reception given in the Senate House of Cambridge to Mr. Hopkinson, the Senior Wrangler, who has since become Smith's Prizeman, and who, because he has a conscience, is unable to avail himself of the prizes which are invariably offered by his University to those who secure his position. What the Dissenters desire are terms of equality, and it is with these terms alone that they will be satisfied. The fountain is large enough both for those who are now receiving from it and those who desire to receive; it is large enough for the whole nation. When these tests were first instituted there was scarcely a Dissenting place of worship in existence. There are now 20,000 Dissenting chapels, and the Dissenters demand their share of endowments which were originally intended to be national. I trust, therefore, that hon. Members opposite will be ready to join with the Government in securing the passing of this Bill. I am aware of the religious difficulty connected with this question, and I sympathize with it; but hon. Members must see that it is a difficulty which cannot be met by legislative enactment; it requires other arrangements, and hon. Members should see that these are made. University Tests once abolished, and a fair Burials Bill agreed to, the House will have disposed of the two last of a number of measures which used to be spoken of as "Dissenters' grievances." As matters stand, a Nonconformist who is also a Master of Arts is prevented from voting for a Member of Parliament for his own University—the only case, I believe, in which religious opinion is still a barrier to the exercise of the franchise in this country.

I know nothing of the principle of the Bill which the Government propose to bring in with reference to Trades Unions; but I hope it will be framed in a generous spirit. I am convinced that the combination laws have worked unspeakable mischief between master and servant, by introducing into a relationship the very life-blood of which is mutual confidence and respect, the elements of bitterness and strife. Let the common law be made strong enough to deal with lawlessness or oppression, whether manifested towards employers or fellow-workmen; but what the workmen object to is legislation aimed specially at them, and I sympathize heartily with them in that objection—for combinations exist as much among masters as among workmen.

There will be wide-spread satisfaction at the mention for the first time in a Speech from the Throne of the Ballot Bill; and if I may presume to offer advice to the Government it will be to let the Bill be one which will really secure secret voting. No other measure will satisfy the country, or accomplish—what is so much desired—the securing to every voter, however humble, an opportunity of voting in accordance with his convictions. No other measure, again, will put a stop to the practice of canvassing, and to those scenes on the day of election which have made our electoral system a scandal and a reproach.

I entertain a strong conviction that benefits may be expected to follow from a change in our licensing system which shall place some restriction upon the extension of public-houses—for instance, by giving to the inhabitants of a district, in some safe form, a power of veto upon the granting of new licences. But to do anything effectual, the crime of drunkenness must be treated really as a crime, and not dealt with as a palliative of crime. Such a course of action will produce results in a very few years upon the condition of the people which everyone must rejoice to see; and I therefore hope the Government will deal with the question with a bold hand. No measure much in advance of public opinion can expect success; but a large and courageous measure will, nevertheless, be hailed with approval. Evidence is rapidly accumulating that drunkenness is the cause of an immense proportion of the pauperism and crime which afflict this country; and, for my own part, I believe that drunkenness does more than all other causes put together to keep the people down politically, socially, and, above all, religiously.

There are other measures of a domestic character referred to in the Speech from the Throne to which I will not now specifically advert.

In the language of the Address, I trust that the interest attaching to affairs abroad and to military questions will not greatly abate the energy with which the House will apply itself to the improvement of domestic legislation. But desiring, as I do earnestly, to see all these measures carried, I venture, young though I am in Parliamentary experience, to suggest that in order to accomplish the work we must husband our time. I vie with the most earnest Member of the extremest section in my desire to see measures passed to reform abuses and to remove hindrances that impede the material and social progress of the people; but it is clear that to pass more Bills in the same space of time we must discover some method of using our time more economically, and with larger practical results. In saying this I know that I am trenching upon ground which, as a young Member, I have no right to occupy; but I belong to the large class of what may be called comparatively silent Members, who have opportunities of listening at times to what appear rather profitless discussions, and who, accordingly, are anxious that arrangements may be made, while there is yet time, to facilitate the passing, if not of the whole, at least of the greater portion of the promised measures. Thanking the House for the attention with which they have listened to my remarks, I conclude by seconding the Motion of my hon. Friend for an humble Address in answer to the Speech from the Throne.

Motion made, and Question proposed, "That," &c. [*See Page* 60.]

MR. DISRAELI: Sir, it is little more than six months since Parliament was prorogued, under circumstances of great anxiety, and we are re-assembled to-day to encounter a state of affairs that all must admit to be greatly complicated, and which I myself think to be not devoid of danger. When we returned to our constituencies Europe was on the eve of a war which, looking to its consequences, may, perhaps, be described as the most important war of this century. Her Majesty's Government then took the opportunity of indicating to the House the general policy which they felt it their duty, under the circumstances, to advise Her Majesty to follow. That policy was a policy of neutrality, and was a wise and a just policy. I cannot recall at this moment whether war had been declared at that period; but whether it had or not, there was a considerable and mysterious pause before the actual commencement of hostilities which was very favourable to negotiation; and I then took the liberty of suggesting to the right hon. Gentleman at the head of the Government that the policy of the Government should not only be a policy of neutrality, but of an armed neutrality. The right hon. Gentleman then said that a policy of armed neutrality was a very serious thing. That was why I recommended it. We had to deal with a very serious state of affairs, and it appeared to me that if we were to have a chance of coping with them and controlling them we should use an instrument of equal temper. The operation of an armed neutrality is three-fold. Its first tendency, of course, is to prevent; its second, to shorten war; and, in the third place—and not the least important—when pacification is contemplated, to insure the acceptance of just and temperate terms of peace, so that the seeds of future disquiet and inevitable struggle should not occur at the very moment when general tranquillity appears to be about to be accomplished. The last instance of an armed neutrality was the occupation of the Danubian Provinces by Austria; and I believe that no one will deny that that act on the part of Austria tended greatly to shorten the Crimean War. I do not presume for a moment to speak on this question of high general policy as one more competent to deliver an opinion upon it than any Gentleman who is sitting in this House; but hon. Members may, perhaps, recollect that four years ago myself and my then Colleagues had under responsibility the duty of considering a state of affairs almost identical with that state of affairs which obtained in the middle of last July. There was then a war imminent, occasioned by the rivalry between France and Prussia. Indeed, for 48 hours it appeared inevitable, and yet that war was prevented—was prevented by that Treaty which guaranteed the neutrality of Luxemburg, upon which I will not at this moment dwell, though I may have to advert to it. Now, that was an opportunity, certainly, all will admit, to those who had then the management of affairs, to form some opinion as to the motives of the principal actors in those transactions, the influences which regulated their conduct, and the objects which they contemplated; and we arrived then at three results for the future regulation of our conduct in these matters. First of all, which was of course obvious, that the danger to the peace of Europe was the rivalry between France and Prussia; secondly, that Prussia would never commence hostilities herself; and thirdly—and that was the most important and practical point—that it was consequently necessary that the English Government should concentrate all its resources, all its diplomatic influence, and exercise its unceasing vigilance at Paris, to prevent the ruler of France from commencing hostilities, which were so dreaded and deprecated. Now, it does not appear to me that Her Majesty's Ministers, when these unfortunate transactions commenced in July, did use that requisite energy, and were not sufficiently prepared for the circumstances which they had to encounter. I must remind the House that Her Majesty's Ministers were placed in a peculiarly favourable opportunity to press their opinions and their policy upon the Emperor of the French. I give Her Majesty's Government full credit for the energy and promptitude with which they obtained the withdrawal of the candidature of the Prussian pretender to the Throne of Spain. But their success in that proceeding gave them an additional claim and hold upon the French Government:—because the House will understand that for a mediator to come forward between two such Powers as France and Prussia, and accomplish so difficult a task as the withdrawal of the Prussian Prince who was a candidate for the Spanish throne, required a great exertion and expenditure of influence on the part of the Crown of this country. Influence, however considerable, is at the same time a limited quality. It cannot be expended for a certain object, or in a certain degree, without being diminished for other purposes in an equal degree. If Her Majesty, for instance, made an appeal to the King of Prussia that ultimately led to the withdrawal of the pretender to the throne of Spain, on other occasions and in reference to other matters, no doubt such a course would give Prussia a moral claim on England. Her Majesty had done the Emperor of the French a great service: and if at that moment—in July—the business had stopped as it was, the Emperor of the French would have had a considerable diplomatic triumph. It would have added to the credit of his dynasty and position, and would have been owing to the mediatorial influence of the Crown of England. When the Ambassador of the Queen therefore went to the Emperor of the French and announced that he had succeeded in his difficult and important office, and the Emperor—notwithstanding his appeal to the Queen to use her influence, and notwithstanding that Her Majesty had used her influence successfully—the Emperor said, "I will, nevertheless, proceed on my own course," Lord Lyons should have declared—"This is an outrage to the Crown of England, and I am instructed to tell you that if you thus discard the result of the Queen's intervention, and if this is the mode in which you express your gratitude for the successful exertions of the solicited influence of our Sovereign, you must take the consequences. I do not say we are going to throw ourselves into the fray, but the neutrality that we shall observe will be an armed neutrality." If that had been the case, I do not believe there would have been war.

Sir, there was another ground on which I apprehend the right hon. Gentleman might have successfully appealed to the Emperor of the French and prevented the war, and that was—I called it to the recollection of the House at the end of last Session—that Russia and Great Britain had guaranteed to Prussia the possession of her Saxon provinces, and that if Russia and Great Britain had represented to the Emperor of the French—being neutral Powers, and his allies—that if he persisted in the insane course upon which he was about to enter, it was more than probable that he would force Russia and Great Britain to place themselves in a position if not absolutely of belligerents, yet in a hostile position, that would have influenced a Sovereign who was hesitating to the very end. You must remember that the Emperor of the French was for peace in the morning and war in the evening, and if the English Ambassador had, in the interval, represented a definite policy, such as that which I have indicated, there is every probability that the Emperor of the French would never have embarked in this war. Now, what was the answer given to me by the right hon. Gentleman? The right hon. Gentleman rose and repudiated the guarantees which had been given by this country and Russia to Prussia of the possession of her Saxon provinces, and he gave two reasons for his repudiation. The guarantee was given in 1815 under the Treaty of Vienna. The right hon. Gentleman said, that Prussia had become much more powerful since the guarantee of the Saxon provinces was given in 1815, and he said, in the second place, that the Diet of Germany had been recently abolished. Now, Sir, the first reason of the right hon. Gentleman was a strange one. If I owed a man £5,000, and he asked me to repay him, he would be surprised if I said to him—"True, it is, I owe you £5,000; but in the interval that has elapsed since the loan you have come into the possession of an estate of £5,000 a year, you are more powerful and richer, and therefore your claim can no longer be recognized." Then, with regard to the second reason, the abolition of the German Diet, I answer at once that the guarantee does not at all refer to the German Diet in any sense whatever, and the only effect of the existence of the German Diet would be this—that, in all probability, Prussia would then have a right to appeal to the other Powers of Germany to assist her if her Saxon provinces had been invaded. The question for Her Majesty's Government was this—What were the circumstances contemplated when the guarantee of the Treaty of Vienna was given by the Great Powers? Now, what were the circumstances? The circumstances were these — The signataries to the Treaty of Vienna, in the distribution arrangement of territory, were anxious that States bordering upon France should be strengthened. France was looked upon as the great disturber. Future aggression was contemplated by France, and it was therefore thought the best policy to strengthen, as much as possible, the States contiguous to the French boundary. For that reason the King of Sardinia received a great accession of territory, and the kingdom of the Netherlands was created. But the brunt of the struggle was evidently to be borne by Prussia. Prussia was to take the Rhenish provinces. Prussia required, and deserved, compensation for her great sacrifices and sufferings; and though she wished to find that compensation in the North of Germany, she ultimately accepted the Saxon provinces on condition that a guarantee should be given by the Great Powers, and especially by England, that practically, in case there was a war occasioned by the aggressions of France, and Prussia was attacked in her new territory, she should be guarded by the guarantee which was given. Now, what were the circumstances in July last? It is difficult for us to realize what was the state of affairs in July now that the King of Prussia is sleeping in the bed of Louis Quatorze at Versailles. But the fact is the King of Prussia was very much alarmed at the state of affairs; he had been surprised—I mean, of course, in a military sense—and was not prepared for war. Although, as I have heard, and have no doubt, the Prussians did not despair of ultimate success in the struggle, they were, in a military sense, surprised; and Russia, which has since made so many Field Marshals, was particularly anxious to support Her Majesty's Government in maintaining peace last July. There is no country more adverse to war than Russia, and it is very much to her credit; but, as she generally attains her objects without war, this is less surprising; but if there be any kind of war which Russia especially dislikes, it is an European war, and an European war commenced by France. These were the circumstances we had to deal with in July last; and I maintain that if proper representations had been made to the Emperor of the French—if it had been pressed upon him that this country had entered into solemn engagements guaranteeing the provinces of Saxony to the King of Prussia—the Emperor of the French would have recoiled from the possible results of an infringement of the Treaty. Some hon. Gentlemen seem to be incredulous as to Prussia not being ready for immediate war in July last. I speak on the very highest authority when I say that Prussia was perfectly prepared for seeing the Palatinate overrun by the French. As far as the Palatinate was concerned, the Prussians had no doubt that the French would entirely and immediately overrun it, although they may have had confidence that they could prevent their capital being taken. It was under these circumstances—very different, of course, from those which now prevail—that a successful appeal, in my opinion, might have been made by our Government, upon this ground, to the Emperor of the French; and, I think the war might have been prevented. How was the case met by our Government, and, I am sorry to say, by more than one hon. Gentleman who spoke on the occasion alluded to? It was met on the part of the Government by a repudiation of a national engagement, a treaty of the most solemn and stringent kind. I want to know what hon. Gentlemen mean by the habit which, I am sorry to say, I have seen of late growing up in this House, of deriding the character and stipulations of treaties. What is the alternative if they are not supported, if they are not upheld by public opinion and by the sentiment of the House of Commons? What alternative is there? If it be true, as we have heard from a high authority, that no Power will observe a treaty the moment it has the opportunity of breaking it, you are really dissolving society into its original elements, which appear to me to be "blood and iron." It is easy to say that the Treaty of Vienna has been violated twenty times over, and that it is an obsolete document; but, in the first place, it has not been violated twenty, nor ten, nor five times over. No doubt, great changes have been made in the distribution and arrangement of territory which it sanctioned; but the Great Powers and statesmen who attended the Congress of Vienna most scrupulously and cautiously abstained from doing more than sanction an arrangement and distribution which was the inevitable consequence of a long war; and they never in any instance bound themselves to maintain the distribution that was then made, except in the case of the Saxon provinces of Prussia. Even if the Treaty of Vienna had been in some instances violated—which I dispute, but do not dwell upon now, because it does not touch the question—that is no reason why other important stipulations, which have not been violated, should not be maintained. There are many things of the utmost importance in the Treaty of Vienna besides the mere arrangement and distribution of territory. That was considered by the leading statesmen in this manner. They said—"We will not bind ourselves to any of these arrangements of territory; we contemplate that the time may come when changes will occur, and when those changes occur we will consider them on their merits." The withdrawal of the Austrians from Italy is no violation of the Treaty of Vienna in the circumstances under which it was accomplished; nor, I believe, in the opinion of higher authorities than myself, are any of those changes which have occurred violations of the Treaty, though they are changes of it. But in the Treaty there are things in importance equal to or greater than that of the distribution of territory. Take, for instance, the free navigation of rivers; that is one of the most important subjects that can possibly engage our attention. If, in the conduct of public business, a question arose as to the navigation of rivers, and I was told that the Treaty of Vienna was an obsolete document, and that it must not be referred to, I should be totally at a loss as to where I was to find any foundation for the doctrine of the free navigation of rivers, which is of the utmost importance to the welfare of humanity. Judging from what I hear, before a month is over we may be discussing in this House the free navigation of the Danube. Where would you be if the Treaty of Vienna, which was the first public document that, by a series of masterly clauses and provisions, established the free navigation of rivers—where would you be if the Treaty of Vienna was to be looked upon as a mere obsolete document? There is another river the free navigation of which, judging from all we hear, will be under our consideration soon. I mean the St. Lawrence. If we are not to respect the rights of nations as determined by the Treaty of Vienna, I do not believe there is any document in existence which will enable you to treat in a satisfactory manner the question of the navigation of the St. Lawrence.

In my opinion there was not sufficient energy exercised on the part of Her Majesty's Government in July last, at the commencement of these unhappy circumstances, to meet the conjuncture, and that they were not prepared for an event which, in my opinion, they ought to have contemplated. The proper policy for England would have been an armed neutrality; it might have prevented, and it certainly would have shortened the war; and if it had existed at this moment, I have no doubt it would have obtained for the discomfited just and temperate terms, and given a different character to Europe. But I may be told—"An armed neutrality might have been, under the circumstances, a very sufficient and proper policy; but how could an armed neutrality be adopted by a country without armaments?" I admit we should have placed ourselves in a position that might have been awkward and embarrassing if it could have been shown that this terrible war between rival races—for it comes to that—has been occasioned by neutrals not having that command of organized force which becomes great nations. It is possible that the Ambassador of the Queen, when he went to the Emperor of the French to make the appeal which I suggest, might have been answered in this manner—the Emperor of the French, who is extremely well-informed about everything in England, might have said—"Yes, Sir; I understand the policy of your Government is an armed neutrality; but an armed neutrality is a very serious thing for a nation that for a year and a half has been disbanding its veterans; an armed neutrality is a very serious thing for a nation with skeleton battalions and attenuated squadrons, and batteries without sufficient guns, and yet more guns than gunners; an armed neutrality is a very serious thing for a nation without a military reserve." The Emperor of the French might have added—"Nevertheless, you are still mistress of the ocean; yet, as you must have a Channel Fleet, and scarcely can do without a Mediterranean Fleet, I think it would be difficult for you to establish a fleet for the North Sea, since for a year and a half you have left off shipbuilding—since you have reduced your famous blue-jackets—since, as I well know, you have not been furnishing due artillery to your men-of-war, and you can't deny that for a year and a half you have been living on the stores that were accumulated by preceding Governments." Sir, I confess that would have been an answer to my suggestion of armed neutrality which would have been certainly for the moment somewhat embarrassing. I have no wish on this occasion to make a single criticism upon the conduct of the two right hon. Gentlemen who preside over the great Departments of the Army and the Admiralty. They were preferred to those eminent posts because, as was understood generally in the country, they were deemed, on the whole, the administrators most competent to reduce the naval and military strength of the country, and I am bound to say that the country, which is always just to public men, has unanimously agreed that these right hon. Gentlemen have entirely fulfilled the confidence reposed in them. But I cannot help making one remark upon the conduct in this respect of the right hon. Gentleman at the head of the Government. The right hon. Gentleman challenged the existence of the late Government upon a grave question of policy with regard to Ireland in a manly and straightforward manner. I have not changed my opinion as to that policy; I did not think it was a policy calculated to secure the tranquillity of Ireland and put an end to those feuds which seem indigenous to that country, or that it would make every district of that island a Utopia. Still, no one can deny that the right hon. Gentleman came forward on that occasion in a manly, straightforward manner. His policy was openly declared, and he appealed to the last Parliament, elected by the restricted constituency, and the last Parliament gave him a large majority. At a later period he appealed to the Parliament elected by the new constituency, and that majority was increased. The right hon. Gentleman, therefore, gained his position, as far as the policy for Ireland was at issue, in the most clear and honourable manner; and no one grudged him his triumph—at least, I did not. But the right hon. Gentleman was a candidate for the suffrages of a large and, as he believed, of an economically inclined constituency, and, not having sufficient confidence in the bold policy he had enunciated, he suddenly turned round, and apparently to obtain votes, in which he did not even succeed, he denounced the then Government on account of the extravagance of their military and naval establishments. [Mr. GLADSTONE: Expenditure.] Well, we will not quarrel about the word; it comes to the same thing whichever we use. But the right hon. Gentleman, denouncing the extravagance of the late Government, said to the electors—"If I am in power next year I will terminate all this expenditure; I will put an end to these costly establishments, and you shall have a great reduction of taxation in consequence." This was a mere episode in the career

of the right hon. Gentleman. It did not obtain him the seat he then solicited, nor do I believe it obtained for him half-a-dozen seats in this House. He would have had a complete majority if he had adhered to his first policy, which, though I believe erroneous, was the policy of a statesman, was perfectly intelligible, and had been deliberated upon in this House. My complaint against the right hon. Gentleman is that when he was summoned by his Sovereign to occupy the highest position in the kingdom, with a responsibility attached to it which no language can describe, and no degree of feeling equal, the right hon. Gentleman could not have been 10 minutes in the Cabinet of the Queen without knowing that the representations he had made respecting the military and naval expenditure of the country and the consequent reduction which he had pledged himself to was one of the greatest mistakes any Minister could possibly have made. The facts upon which this conclusion would be arrived at by him were State secrets at the time; but they have since been revealed in ravaged Europe. Why, the right hon. Gentleman sent his most trusty Councillor upon these subjects abroad to examine into these matters; he sent the member of his Cabinet on whom he naturally most depended for a correct opinion upon the state of Europe. Lord Clarendon went to the Continent. Lord Clarendon had conferences in Germany with more than one Sovereign, and with many most eminent statesmen. By one of those lucky combinations which sometimes occur in public life, Lord Clarendon met the Prime Minister of Russia, Prince Gortchakoff, who happened to be in Germany at that period, and he had confidential conferences with Prince Gortchakoff; and the consequence of these communications with German Sovereigns and statesmen and the Chancellor of Russia was that Lord Clarendon repaired to the capital of France, and conferred confidentially with the Emperor of the French. Now, Sir, there may be difference of opinion as to the position of the late Lord Clarendon as a statesman, as there will be upon the character and career of every public man. Perhaps Lord Clarendon was more adapted for an Ambassador than a Minister of State; others may differ from this view, but no one will dispute that Lord Clarendon was a consummate man of the world, with a quick perception of character, and gifted with that versatile and captivating sympathy which extracts secrets from the most reserved, and obtains the confidence of the most close. Now all this time Lord Clarendon was communicating confidentially with the right hon. Gentleman—the right hon. Gentleman admitted this at the close of last Session—and who can doubt what were the results at which Lord Clarendon arrived? Lord Clarendon must have comprehended the whole situation—the danger to the peace of Europe from the continued rivalry of France and Prussia; the causes which prevented Prussia from commencing the contest; the restraint necessary in consequence to impress upon the Emperor of the French; and the right hon. Gentleman must have been perfectly well aware of everything Lord Clarendon did, of everything that passed through his mind, and of all the information that he gained. Under all these circumstances, it is to me most difficult to comprehend the conduct of the right hon. Gentleman. I cannot understand how a person filling the position of the right hon. Gentleman should have deemed himself bound by the rash rhetoric of the hustings to continue those reductions of what he calls expenditure, but which are, practically speaking, establishments, seeing that the reduction is, in fact, a reduction in the number of men and boys and in the amount of stores. How is it possible that the right hon. Gentleman could, possessing this knowledge, have pursued such a course, and countenanced the framing of harum-scarum Budgets which have dissipated the resources of the nation?

The danger which Lord Clarendon must have foreseen eventually resulted in the war between France and Germany; and now let me impress upon the attention of the House the character of this war. It is no common war, like the war between Prussia and Austria, or like the Italian war in which France was engaged some years ago; nor is it like the Crimean War. This war represents the German Revolution, a greater political event than the French Revolution of last century—I don't say a greater, or as great, a social event. What its social consequences may be are in the future. Not a single principle in the management of our foreign affairs, accepted by all statesmen for guidance up to six months ago, any longer exists. There is not a diplomatic tradition which has not been swept away. You have a new world, new influences at work, new and unknown objects and dangers with which to cope, at present involved in that obscurity incident to novelty in such affairs. We used to have discussions in this House about the balance of power. Lord Palmerston, eminently a practical man, trimmed the ship of State and shaped its policy with a view to preserve an equilibrium in Europe; and we have recently been favoured with a letter from M. Guizot to the right hon. Gentleman opposite, in which the balance of power is declared to be absolutely necessary to the peace of Europe. We have heard hon. Gentlemen in this House, on some occasions, deride the idea of a balance of power as altogether a fancy; but what has really come to pass in Europe? The balance of power has been entirely destroyed, and the country which suffers most, and feels the effects of this great change most, is England. Now, what has been the first consequence of the destruction of the balance of power by this war, which I sincerely believe, if we had been energetic and prepared, this country might have prevented? The first consequence is that Russia repudiates the Treaty of 1856. There is nothing in diplomatic history so unqualified as the repudiation of the settlement of 1856 by Russia. Now, I am not going to inveigh against the designs of Russia. Russia has a policy, as every great Power has a policy, and she has as much right to have a policy as Germany or England. I believe the policy of Russia, taking a general view of it, to have been a legitimate policy, although it may have been inevitably a disturbing policy. When you have a great country in the centre of Europe, with an immense territory, with a numerous and yet, as compared with its colossal area, a sparse population, producing human food to any extent, in addition to certain most valuable raw materials, it is quite clear that a people so situated, practically without any seaboard, would never rest until it found its way to the coast, and could have a mode of communicating easily with other nations, and exchanging its products with them. Well, for 200 years Russia has pursued that policy; it has been a legitimate, though a disturbing policy. It has cost Sweden provinces, and it has cost Turkey provinces. But no wise statesman could help feeling that it was a legitimate policy—a policy which it was impossible to resist, and one which the general verdict of the world recognized—that Russia should find her way to the seacoast. She has completely accomplished it. She has admirable seaports; she can communicate with every part of the world, and she has profited accordingly. But at the end of the last century she advanced a new view. It was not a national policy; it was invented by the then ruler of Russia, a woman, a stranger, and an usurper—and that policy was that she must have the capital of the Turkish Empire. That was not a legitimate, it was a disturbing policy. It was a policy like the French desire to have the Rhine —false in principle. She had no moral claim to Constantinople; she did not represent the races to which it once belonged; she had no political necessity to go there, because she had already two capitals. Therefore, it was not a legitimate, but a disturbing policy. As the illegitimate desire of France to have the Rhine has led to the prostration of France, so the illegitimate desire of Russia to have Constantinople led to the prostration of Russia. Now, when Russia repudiated the Treaty of 1856 I do not think the course pursued by Her Majesty's Government was a wise one. I admire the reasoning by which Her Majesty's Secretary of State showed to the Russian Minister the fallacy of his position; but I think that the inference he drew from his own premises was lame and impotent. Our proper answer to the first note of Prince Gortchakoff should have been to protest against it, and to have said at once that Russia must take the consequences of such a step. In that case, I doubt very much whether at this moment we should have heard any more about it. But that was not the course adopted by Her Majesty's Government. The plan of a Conference on the Treaty of 1856, which France could not attend, was not politic; and the inability of France to take part in it was alone a sufficient reason in refusing to listen to any such project. Let me recall to the House for a moment the circumstances under which the Treaty of 1856 was negotiated. I know there are hon. Gentlemen on both sides of the House who think the Crimean War was a great mistake. I am not one of them. I think the Crimean War might have been prevented. I have not the slightest doubt that in the month of July, 1854, if our Government had informed the Government of Russia that war would be the consequence of their passing the Pruth, the Pruth would not have been passed. I believe that is not now mere conjecture, but a matter of acknowledged fact. But when that war was declared I believe it was a just and necessary war; I believe there never was a war carried on for a nobler purpose or with purer intentions, nor one which the people generally of this country ever supported with more enthusiasm. There was a great demur at the time as to the terms of peace; they were not thought adequate. It is true they did not call upon Russia, under defeat, to yield up any of her provinces; and I wish that fact could be recollected by other Powers. It is true, also, that the Allies did not propose to mulct Russia by calling on her to pay a great indemnity; and that, too, should not be forgotten by nations who are influenced by precedents. But I think the Treaty was admirable, because it devised a plan for neutralizing the Black Sea, which absolutely, as far as human arrangements could control affairs, really prevented that part of the world again disturbing the general peace. Well, that Treaty was regarded at the time as a magnanimous Treaty. I believe it was so accepted by Russia. She obtained terms after the fall of Sebastopol as favourable as those which she refused at the Conference of Vienna. I doubt there is an example of such terms being offered by the conqueror under similar circumstances. Now, Sir, I do not pretend to divine what is passing at the Conference. All sorts of rumours are afloat; but I cannot understand, or conceive it possible, that a British Minister, after the immense sacrifices made by the Allies, and especially by this country, in order to obtain that Treaty of 1856, will consent in Conference to give up the whole point for which those sacrifices were incurred. There really is nothing in the Treaty of 1856 of vital importance — nothing that did secure and can maintain the general peace of Europe with regard to that part of the world, except the termination of the naval preponderance of Russia in the Black Sea by a plan which spared the pride of a great country. To obtain that result the Allies expended three hundred millions of treasure. I cannot trust myself to tell what was the loss in human lives, infinitely more valuable. You fought four pitched battles and made two of the most terrific assaults ever known in the history of sieges, and all to obtain this result. Why, there is hardly a family in England, from the haughtiest to the humblest, which has not some painful recollection of the sufferings and sacrifices of that war. In my parish church there is a memorial window to the memory of two sons of an hon. Baronet, once a Member of this House, both of whom fell in the Crimea. The eldest, who was little more than of age—a youth of great promise and distinguished appearance—had just married, and the very week after his marriage he was summoned to his regiment, one of the finest in our service—the 23rd Fusiliers. He fell at Alma after many acts of valour. Exactly a year afterwards his next brother, who had succeeded to his title—an officer of Artillery, also in the same army — died in the trenches before Sebastopol. The mother of those gallant youths raised that memorial window in my parish church because—to use her own words —amid her terrible sorrows she had the proud consolation of knowing that her sons had died for their country. But now you are going to tell her that she is not to have that proud consolation—that they did not die either for the honour or the interest of their country—that it was all moonshine. I think that the mothers of England will feel very differently in future, and the sons of England, too, will not be so lavish of their lives, if this mockery is to occur. But the most curious thing in all this affair of the Treaty of 1856 is the conduct of Her Majesty's Government when they received the note of Prince Gortchakoff; and it is to me perfectly incredible. What did Her Majesty's Government do? They consulted Count Bismarck—certainly a most eminent man, and there is no man whose opinion on a difficult question I should think more valuable. But he is the Minister of Prussia, who was not our ally in the Crimean campaign, and whose conduct then was equivocal and ambiguous; and they sent, as I understand—but we are to have the Papers laid before us, and I am sure Papers were never more wanted — they sent Mr. Odo Russell in their difficulty to consult Count Bismarck. Now, what said Count Bismarck? Count Bismarck said this—"I see that your Government is extremely indignant because Russia has repudiated the Treaty of 1856. Well, it is a very extraordinary thing; but only three months ago your Prime Minister repudiated a most solemn treaty with regard to my country — namely, that which guaranteed the Saxon provinces to my Sovereign." Why, at that moment it was a toss up whether those Saxon provinces would or would not be invaded, and I believe it is in those very provinces that Count Bismarck's estate is situated, though that is a matter that of course would not affect his opinion. However, Count Bismarck, with that cynical cordiality which distinguishes him, said—"Notwithstanding the way in which you have treated us, I will do everything I can for you. I will suggest a Conference, and the practical consequence of a Conference is that you condone the great offence of Russia, and then that will happen at the Conference which always does happen at Conferences to which Russia is a party, and particularly where Prussia also is a party —namely, that Russia will gain her object." But Count Bismarck is a man of the world who goes with the times; so he does not stop here—the Treaty of Vienna is an obsolete treaty; the Treaty of 1856 is now successfully repudiated by Russia; the balance of power no longer exists. And therefore the unfortunate Sovereign Prince of Luxemburg, to secure the neutrality of whose territory we had laboured, and had incurred so great a risk, has notice served upon him, which puts an end to the Treaty of Luxembourg. That is the third repudiated treaty. Now let me say one word about that Treaty. I wish to speak thus, because the matter has not been so much before the House of Commons as might be desirable, and the observations of a Secretary of State have not been correctly apprehended. By the Treaty of Luxemburg the five signataries gave a joint guarantee to maintain the neutrality of the Grand Duchy, and the question has been raised as to what were our liabilities in respect of the joint guarantee. I do not apprehend that as regards our liabilities to the Grand Duke of Luxemburg the slightest difficulty is likely to arise. I believe that the liability of each of the co-signataries towards the Grand Duke of Luxemburg merely extends to this—that they shall not themselves violate the neutrality of his territory. But the liabilities that the signataries to that Treaty incur to each other in respect of the engagement are much larger and of a far more complicated character. Guarantees of the neutrality of their territories are not given to Princes out of mere affection or personal respect—they are given for much larger objects, to secure the peace of Europe and to maintain the general tranquillity. And therefore a signatary of the Treaty who violates the neutrality of the territory of the Grand Duke of Luxemburg incurs a large responsibility to England and to the other signataries of the instrument; and it would be open to us, at any moment and in any manner we might think proper, to assert our rights if they should be so violated. It has been said that there is in existence a secret Treaty between Prussia and Russia entered into before the war. I make no statement to that effect myself. It once fell to my lot, in reference to transactions relating to the Crimean War, to state to this House that there was in existence a secret Treaty between two great Powers—France and Austria—having reference to the state of Italy, by which the former undertook not to attack the latter in case certain things should be done in the course of that war, and Lord Palmerston contradicted me upon the subject. In about a week after, however, Lord Palmerston, as a man of honour, having ascertained the real facts, thought it his duty to come down to the House and to acknowledge that such a Treaty did exist. I merely advert to that circumstance to show that I make no such assertions until I am convinced of their truth. When I am convinced of the existence of a Treaty such as I have described between Prussia and Russia, I shall state the fact openly in this House. I feel called upon, however, to make this remark—that if, when Her Majesty's Government communicated with Count Bismark respecting the repudiation of the Treaty of 1856, they were ignorant of the existence of such a Treaty, they were exceedingly ill-informed; but if they were aware of its existence—and I wish the House to observe this possibility particularly — and yet under such circumstances made the appeal to Count Bismarck which led to this Conference, then I say that the conduct of Her Majesty's Government is of a very grave character, and that the censure of this House would be a very light punishment for them to undergo.

There is another Treaty upon which I will not stop to make a comment, which has been violated in consequence of the destruction of the balance of power produced by this war—a war which, I believe, England might have prevented, and that is the Treaty which secured Rome to His Holiness the Pope, entered into by the King of Italy, by which the latter bound himself to defend the former from all aggression. We were not parties to that Treaty, and can be only indirectly concerned and interested in it; but the violation of that Treaty is, in my opinion, complete. I am not at all surprised at the result; it is the necessary result of the alliance between the Papacy and Liberalism. Why the Pope should destroy Churches—even if they were Irish Protestant Churches—and why he should secularize ecclesiastical property, I never could understand. His Holiness, however, succeeded in his object; but the Protestant Church Establishment in Ireland was not legally disestablished at the time when the Papacy was disestablished itself. I do not dwell upon this Treaty, because I have no doubt but that in the course of this debate we shall have a satisfactory vindication of the policy of the Government, and a complete interpretation of their views, from the hon. Member for Perth (Mr. Kinnaird).

Now, Sir, I have shown the House what a complicated state of affairs, what difficulties, and what possible dangers have arisen in Europe from this war, which has destroyed the balance of power, and which war, I think, might have been prevented. But those difficulties and dangers are not limited to Europe. The Atlantic Cable unhappily conveys not only communications relating to commercial matters. Everything that happens in the diplomatic circles of Europe appears to reach the other side of the great waters with a rapidity rivalling that by which the knowledge of the price of gold and of cotton is conveyed across the Atlantic. I am surprised at the course which was taken by the Sovereign of America in this matter. I should have thought that he would not have condescended to imitate the example of Europe. But to my great surprise the United States have also got hold of a Treaty with this country which they intend to repudiate. This Treaty was a treaty negotiated —as all treaties entered into with the United States have been negotiated —with great concessions on our side. The enjoyment of it was lost, wantonly lost by the United States by their abrogation of the treaty of reciprocity with Canada, although even after that occurrence they enjoyed the advantages of its provisions for many years longer by the forbearance and indulgence of English statesmen. That Treaty is now brought forward by the United States as an act of injustice on our part and as a means and opportunity for misunderstanding. I was very glad to hear from the Queen's Speech that the attention of England had been directed to this question, and that there seems to be a prospect of having at least some formal communication upon the question. There is one point connected with America which I cannot refrain from noticing, and that is, the extraordinary tone in which the authorities of America communicate with our Government and with the people of this country. The tone of the American Government towards the Government of England is different from that used towards the Government of any other country. It is not, as I once thought, the rough simplicity of Republican manners that occasions a rudeness so painful. Nothing can be more courteous than the Government of the United States to the Russian Government and, I have no doubt, to the German Government; but if they have any communications to make to the Government of this country, or any cause to give their opinion as to the conduct of the English people, a tone is adopted and language used which it may be forbearing not to notice for a time, but which, if persisted in, must ultimately lead to consequences which, though they may not be intended, all will deplore. Now, I am not going to dwell upon the wild words of demagogues, who, I suppose, in the United States, as in all other countries, are reckless in their expressions. I am talking of persons of high official authority. I will take, for instance, the chief Senator (Mr. Sumner) —I look upon the Chairman of the Committee for Foreign Affairs as the chief man in the Senate, and only second to the President, for to a certain degree he exercises the functions of royalty. No treaty with the United States can, I believe, be concluded without his concurrence. This gentleman commenced his Parliamentary career last year by an invective against the British Government. Having to deal with the difficulties between the two countries, having to exercise the functions of a judge and a statesman, he commenced the campaign by a violent invective against the English Government and the English nation, exciting the passions of the people of America. Then the President of the United States, the Sovereign of America, recently in one of those grave State papers which a person of his exalted position periodically produces, having occasion to speak of the English Government and people uses language which I wish I could describe as either friendly or respectful. It was, I think, very unfortunate that the Fenian prisoners were sent to America. It is a questionable thing to me whether they ought to have been amnestied. But, as I have said on a former occasion, it is best that an amnesty should be complete; and if they were to be freed I think they ought to have been allowed to go to Ireland, instead of being sent to America as first-class passengers in a Cunard boat, with a £5 note in their pockets. The people of America received them, in pursuance of the system of always insulting this country, with all honour, and by a large majority in the House of Representatives decided to treat them with every possible respect. I want to know what is the reason why the Government and people of England are treated by the Government of the United States in a different manner from that in which other countries are treated. The time has come when we ought to know that. At the first blush one would think it impossible for two nations to be on terms of more thorough and complete understanding. Notwithstanding the Celtic or Teutonic emigration which the hon. Gentleman who seconded the Address (Mr. Morley) has noticed, the English character of the original settlers in these colonies has always predominated. They have, perhaps, improved our language; but they still speak it. We have the same laws, the same literature, and the same religion. Our commercial relations are on a vast scale; and though our terms of exchange might be improved, the reciprocal benefit is great and unquestioned. There is every circumstance which ought to unite two nations in the bonds of real friendship, and yet it is impossible that the Government or the people of this country can be brought in any public way before the authorities of the United States without some expression being used, or some course taken which is offensive to our honour. What is the cause of this? It cannot arise from the original quarrel. The result of the original quarrel was certainly calculated to leave feelings of humiliation and vindictiveness, but not on the part of the Americans. Nor can it arise from the course taken by England during the Civil War. Nothing is more unjust than the statement that the cause of the Southern States was taken up by either party in this country; and, with regard to the charges so constantly made, that the party represented on this side of the House acted in a party sense with regard to the Southern Confederation, it is utterly untrue. There were hon. Gentlemen, no doubt, on both sides of the House who expressed their opinions and brought forward Motions; but nothing like a party Motion was ever made. The late Lord Derby, who was well acquainted with America, from the first believed that the Northern Confederation would be successful, and as regards the House of Parliament where he was eminent he surely may be assumed to represent the party sitting on this side. As regards this House, I may, perhaps, though with less authority, claim to be regarded as the representative, and under no circumstances whatever did I sanction any such Motion, and for this reason alone, if not others—I felt that it was impossible to limit our interference to the recognition of the Southern States. It would have involved us in a war with the Northern States, and of such a result I would not take the responsibility. Sir, there is no ground for the charge. It is futile. The reason of this offensive conduct of the United States is this — There is a party in America, who certainly do not monopolize the intelligence, the education, and the property of the country, and who, I believe, are not even numerically the strongest, who attempt to obtain political power and to excite political passion by abusing England and its Government because they believe they can do so with impunity. These are the last men who would take this tone if they thought England would resent such conduct; but the idea is impressed upon them that they may insult the Government of England with impunity. You may say, if they have no really hostile intent, and it is a mere electioneering game, is it not better for us to be forbearing and contemptuous? Well, it is not exactly that. The danger is this — Habitually exciting the passions of millions, some unfortunate thing happens or something unfortunate is said in either country; the fire lights up, it is beyond their control, and the two nations are landed in a contest which they can no longer control or prevent. As there is to be a Commission, it would be a very good opportunity for us to come to some clear understanding on the subject, and let it be known England cannot be insulted or injured with impunity; though I should look upon it as the darkest hour of my life if I were to counsel or even support in this House a war with the United States, still the United States should know that they are not an exception to the other countries of the world — that we do not permit ourselves to be insulted by any other country in the world—and that they cannot be an exception. If once our naval and military establishments were in that condition which, I hope, on Thursday, or some early day, we shall find they are—if once it is known that Her Majesty's dominions cannot be assaulted without being adequately defended—all this rowdy rhetoric which is addressed to irresponsible millions, and, as it is supposed, with impunity, will, I believe, cease.

Now, Sir, that is the state of affairs which we have to deal with at the commencement of the Session. And as there is not one of the subjects which I have mentioned which will not, probably, be brought forward for our consideration in its course, it has seemed to me not inappropriate that, on the first day, some general view should be put before the House of the consequences of the war between Germany and France. The whole machinery of States is dislocated. There is not an engagement between Powers which is not impugned or looked upon with suspicion and without confidence, and it is very likely that with every one of the countries to which I have alluded we shall have to discuss our diplomatic engagements and the stipulations which now exist. I hope I may presume to say that I have never been what is called an alarmist. I have never magnified the dangers which this country has had to undergo. I hope I may add that I have never been in favour of a meddlesome policy, though I am not prepared to support what is called non-intervention under all circumstances. I am quite aware that the relations of England to Europe are different now from what they were at the Treaty of Utrecht, or even in the time of Lord Chatham, and that other than European elements, great in themselves and considerably affecting the balance of power, have grown up which could not have been taken into consideration by the statesmen of that day. But I cannot resist the conviction that this country is in a state of great peril, and that it will require the utmost prudence and courage to extricate her from the consequences of recent events. A distinguished man, long a Member of this House, an eminent statesman, whom I am sure even his opponents must always speak of with respect—Lord Russell—has called the attention of the public to the fact that there is in States a natural jealousy of any dominion that rises up chiefly by the influence of commerce. There is no doubt that there have been periods before this when a feeling—not, I think, a rational, but a general feeling—of hostility to the United Kingdom has existed which nothing but fortunate circumstances or the exertion of great energy on our side could have dispelled or baffled. I remember in a discussion in this House 20 years ago, when a feeling of this kind had grown up, reminding the House of what occurred at the Treaty of Cambrai. That was a treaty under which the Confederate Powers of Europe determined, without any cause whatever and from mere jealousy of Venice, of her mercantile spirit and great wealth, and from irritation at the reserve with which she had declined mixing herself up in their separate plans, to cut the pinions of that great Republic. No doubt there is even considerable similarity between the condition of Great Britain and the Republic of Venice. Venice had all the commerce of the world, the finest navy, and a good army, commanded by strangers and foreigners it is true, but still by distinguished generals. She held Cyprus in fee; she possessed the Morea, the peninsula of the Ægean—the same to her that India is to us—the best islands of the Ionian and Ægean seas, and every province of the terra firma of Italy distinguished for civilization and culture, except the Grand Duchy of Milan. But there are also differences between the United Kingdom and Venice. Venice had not a numerous and warlike population. She had not a high-spirited middle-class, and she had a suspicious and tyrannical oligarchy instead of an open and real aristocracy. I understand that some distinguished statesmen have been speaking of England as a country that is past as regards political power, and as one that has sacrificed all her reputation and her real power merely to the accumulation of wealth. Well, I am glad that during the 50 years of peace that more or less we have enjoyed—we have accumulated wealth, and it is a great consolation to me to know that if—which God forbid—we should have to defend ourselves and assert our position in the world, we could enter, as I am sure no other Power could, into a third campaign without finding the sinews of war fail us. It is a great source of strength to England to feel that if she enters into a quarrel which is necessary and just, she is not likely to find her resources exhausted; whereas, it would be very difficult to fix on any other Power, with all their boastfulness, that in the second or third year of hostilities would not be found upon the different Exchanges of Europe endeavouring to raise loans to an amount, moreover, not as large as we could raise by a single tax. But in the 50 years which have elapsed we have done something besides accumulating money, and it is well that this should be known by those who make such free comments upon England and the English people. The people of the United Kingdom enjoy at this moment complete personal and political liberty. Those two great subjects that used to disturb our predecessors, and were the foundation of half the encumbering orders of this House—trade and religion—are no longer any source of difficulty to us since they have taken the shape of commercial freedom and religious equality. We passed last year a Primary Education Bill, not so various in its elements as I hope to live to see pass, but still a real Elementary Education Bill. The people of this country have had the opportunity of following their industry and enjoying their rights in a manner which cannot be equalled by the records of any modern or ancient nation; and I do not believe that a population thus circumstanced is going to give up such blessings without a struggle, or will yield so pre-eminent a position without at least proving that they are worthy of it. There are many observations that I could make upon details of the gracious Speech and of the Address which we are called upon to vote in answer. It is one of the longest Speeches that, I believe, was ever delivered to Parliament from the Throne. It touches on many subjects; there are expressions in it which might be criticized; and there are some points which might, under ordinary circumstances, warrant even a graver notice. But I think it of importance that we should show to Europe and to America, on the present occasion, when we re-assemble, an united Parliament; and though, no doubt, we shall have differences of opinion on minor points, I apprehend that on the vital question there is no difference of opinion among the great majority of the House. I believe we are resolved that the military and naval institutions of this country shall be adequate to the occasion. We hope—aye, more than hope, we believe—the Government are going to bring forward measures which will meet the exigencies of the case. In that case I shall give those measures my entire support; if there are points of detail of which I may not approve, I shall waive my opposition, if it will endanger the security of their passing. I would even make some sacrifice of principle to support their proposals, if they be adequate to the occasion, as I hope and believe they will be. But, although I am not prepared with any Amendment upon this occasion, or to ask the House to come to any declaration of opinion upon a state of affairs that I do not think devoid of peril, and which all, I think, must admit to be most critical, still I could not be altogether silent, after the conversations which occurred in the last days of the late Session, and the events which have since taken so grave a form. The opinions which I have expressed I have been emboldened to offer because I know they are shared by those who generally act with me in public life—and also because I know that a great body of persons throughout the country sympathize with us in our resolve, which is, as far as our power may enable us to effect that object, to uphold the greatness of our country, and to maintain the Empire of the Queen.

MR. GLADSTONE: My hon. Friends the Mover and Seconder of the Address have each of them discharged a part well known not to be free from difficulty in a manner that I am sure will tend to conciliate for them the favour of this House, and to inspire in all of us a hope that neither of them will be too much attracted by sympathy, or any other cause, into the rank of silent Members. But since my two hon. Friends have sat down the debate has assumed a different character. The speech of the right hon. Gentleman (Mr. Disraeli) has consisted in so large a degree of charges of the most pointed character against the conduct of Her Majesty's Government, that I hope the House will think I am not taking an undue liberty if I rise at once for the purpose of meeting the challenge he has given us, without, in the slightest degree, questioning his title to bring these accusations forward. I appeal to the judgment of the House, and I shall endeavour to show that there is not a shadow of foundation for the accusations he has made. As the right hon. Gentleman has found it necessary to traverse a field of considerable breadth, I will at once point out those portions of his speech with which I do not find that the respect I am bound to pay him makes it my duty to follow him on the present occasion. In the first place, I shall not touch on Lord Clarendon's visit to the Continent in 1869, other than to say that from whence the right hon. Gentleman derives his information I know not, except it be from the inexhaustible repositories which his own brains supply. During the whole time when Lord Clarendon was Foreign Minister of this country in the present Government, I certainly had the honour and satisfaction of communication with him rarely intermitted for a single day. My evidence, I admit, is of a negative character; but, though negative, it is tolerably strong, and I can assure the House that the fabric which the right hon. Gentleman has built up of Lord Clarendon's supposed communications, plans, and schemes, which were the object of his tour, is a fabric wholly without foundation in fact, so far as I am able to see. With respect to the subject of Rome, as my hon. Friend the Member for Longford (Mr. O'Reilly) has given notice of raising a discussion on it on a very early day, I will take the liberty likewise of omitting that topic from any observations I have to make. And with regard to America, I wish to say a very few words, for certainly the right hon. Gentleman, as well as the House, will feel that it would hardly be expedient at this particular moment, in the position I have the honour to fill, if I should undertake on the part of the Government to state our exact appreciation of the criticisms of the right hon. Gentleman on certain American matters. One thing I will say, which is due to the right hon. Gentleman, that I think the course of forbearance and prudence he pursued during the American War entitle him, if any man, to be a critic in this matter without offence; and one thing I will say for myself, which is this—that with him I deplore that licence of speech and that misapprehension of occurrences on this side of the water which we occasionally notice in portions of the American Press. I feel that our best and safest course is to trust to the judgment and good sense of the mass of the American nation themselves to discountenance, neutralize, and dishearten whatever injustice the effects of rash and intemperate speech may be calculated to effect. We are at the present moment upon the very eve of despatching to America a Commission, of which my noble Friend the President of the Council (Earl De Grey and Ripon) will represent British interests. The right hon. Gentleman will admit that this is not the time for discussing the various matters with which that Commission will have to deal. Papers will be laid before the House explaining the conduct of the Government, and the merit of that conduct is fair matter for the consideration of the House. My noble Friend will be assisted in the Commission by Sir Edward Thornton, the able, prudent, and trusted representative of this country in America, and Sir John Macdonald, Prime Minister of Canada, than whom, perhaps, no one is so well, certainly no one is better, qualified to represent and defend the interests of the Empire in every question that affects British North America. The main part of the speech of the right hon. Gentleman naturally turned upon the discussion of the circumstances of the Continental war, and, as he entertains the opinions that he has expressed to-night, I am the first to admit that, whatever be the practice commonly prevailing in regard to abstension from polemical discussion on the night of the Address, the right hon. Gentleman was perfectly justified in departing from it; although I think, on the other hand, he will admit that the necessity of raising charges so grave in his place in Parliament is a necessity in some degree adverse to the attainment of that object which he declares he has so much in view and at heart—namely, the object of presenting to foreign nations perfectly united councils. Now, I take the argument of the right hon. Gentleman to be a very simple one, and I will first grapple with that portion of it which refers to the destruction of the balance of power, and the Note which was issued in the autumn by Prince Gortchakoff. The right hon. Gentleman says that we were quite wrong in the mode in which we dealt with that Note. Well, Sir, I am sorry that we have not the suffrage of the right hon. Gentleman; but I am bound to say that, as far as I have any means of judging of the state of the public mind, I do think that the answer which was made by my noble Friend, Lord Granville, upon the receipt of the Note of Prince Gortchakoff was recognized by the country as a becoming, adequate, and manly answer. But the right hon. Gentleman says that, after issuing that answer, to which he does not object in itself, we then proceeded to commit a gross error in making our appeal to Count Bismarck—a very clever man, as the right hon. Gentleman, not too liberal, says; but one into whose mouth the right hon. Gentleman has found it necessary or expedient to put arguments and statements that Count Bismarck himself never was ingenious enough to discover. We made no appeal to Count Bismarck whatever. We took our own course in reply to the Note of Prince Gortchakoff, and, having taken our own course, it became a proper subject of communication to the other Powers of Europe who were the other parties to the Treaty of 1856, and among those Powers was Prussia. The right hon. Gentleman is right in saying that Prussia was not our ally in the Crimean War; but Prussia was our ally in the negotiations preceding the war, and Prussia was a party to the Treaty itself. Do not let me be misunderstood. We did not exclude Prussia from the communication that we made to every other Power concerned in that Treaty; but a special appeal to Count Bismarck we never made, and that is one of the suspicions upon which the argument of the right hon. Gentleman on this part of the case depends. The right hon. Gentleman made some general observations with regard to the moderation on the part of the victorious Power, and when the moment comes for negotiation, though it is not prudent or desirable for me to discuss it now in debate. I cannot pass it by without stating my general concurrence. Well, I think I may pass to the main subject of the speech of the right hon. Gentleman—namely, the present war and the conduct of the Government in connection with the present war. His charges are perfectly clear. He says we were right in maintaining neutrality, but that we maintained a wrong kind of neutrality. We ought to have maintained an armed neutrality: maintaining an armed neutrality, we should have been able to prevent the war—certainly to shorten it, and as certainly to improve the terms on which peace is to be finally concluded. But we did not use energy enough in our representations at the critical moment before war broke out. We did not make use of the services we had rendered to France. We did not make use of the guarantee by which we were bound to Prussia. If we had made use of these documents we should probably have been able to prevent war arising. We were paralyzed, because we had unduly reduced the armaments of the nation in order to redeem rash pledges given by me on the hustings in Lancashire, and to enable my right hon. Friend the Chancellor of the Exchequer to propose to the House and carry through his harum-scarum Budget. I hope that is a tolerably fair statement of the charge of the right hon. Gentleman. There are many of the things which the right hon. Gentleman, in the course of his speech, describes as placed entirely beyond argument, as admitted by everybody, which, as I have often been compelled to do before, I must take up in a bundle and put them aside as wholly unfounded. But with regard to armed neutrality, I own it, with some reluctance, that I followed the right hon. Gentleman into the cloudy controversy that he has raised. What is this armed neutrality? I have heard of armed neutrality in history. I recollect an armed neutrality of about 1780, and with that armed neutrality war, so far from being stopped, was extended. That portentous evil was made even more portentous from the admixture with it of this armed neutrality. I will not merely criticize the phraseology of the right hon. Gentleman—the right hon. Gentleman is privileged in phraseology with gifts of invention, and copious and powerful mastery which I cannot imitate, and which occasionally, no doubt, may lead to my coining a phrase less felicitous than those he is frequently so happy and able to produce. There was a case of armed neutrality—the case of Austria and the Principalities—which the right hon. Gentleman says all persons admitted to have shortened the Crimean War. Now, the case of Austria was not a case of armed neutrality at all, but an especial operation directed to a particular point. Austria never professed to be neutral in the Crimean War. Upon the occasion of the siege of Sebastopol the driving of the Russians out of the Principalities had for its main military effect nothing but this—it placed a large and neighbouring force at the disposal of Russia for the defence of Sebastopol. I am not finding fault with the proceeding; I am endeavouring to show how lightly the right hon. Gentleman deals with the facts of history. But the right hon. Gentleman says we did not use sufficient energy in preventing war; and those who have heard the speech of the right hon. Gentleman will really be under the impression that he pointed out to us this lack of energy at a period when it was not too late for us to amend our defective policy. He has spoken to-night as if the speech he made last year was made anterior to the war. On the contrary, it was a speech made during the war; it was a speech made by a person who was in possession of all the steps which had been taken by the Government in reference to the war. He thinks it was before the war; but the date of it was the 1st of August, when war had been declared a fortnight; in fact, it was the day of the battle of Saarbrück, and it was within three or four days of the battle of Wœrth. The right hon. Gentleman says we did not use energy enough. I want to know what it was we were to do. Well, we were to go to the French and we were to say —"If you exercise your own free discretion towards Prussia as to what is or what is not sufficient reparation, that will be an outrage upon the Crown of England?" When the right hon. Gentleman had used that strong phrase he immediately felt that from such a phrase there would arise a presumption that we were to go to war, if necessary, in support of that strong language; but he disclaimed the intention of going to war in support of it. We were to have told France that she was inflicting an outrage upon the Crown of England; but we were to abstain from saying that that outrage would be resented on our part. And that is what the right hon. Gentleman calls a recommendation to use greater energy than that which we used. We were to have said to France—I am quoting the words of the right hon. Gentleman—"You must take the consequences;" and France might safely have taken the consequences, according to the right hon. Gentleman's position, for the consequences were not to be war, but they were to be our high displeasure—consequences which I think it very possible a people much less powerful and high-spirited than the French would have been perfectly content to take in resenting an unwarranted and excessive intrusion from a foreign Power into a province which was not its own. It is not the question whether France was right, or whether she was wrong. In mild and friendly terms we did state to her that, in our judgment, she was wrong in not accepting the withdrawal of the candidature of Prince Hohenzollern; and, having done that, we felt that we had discharged our whole duty, and in discharging our whole duty we had exhausted our whole right. The right hon. Gentleman has another argument. He says we had entered into a guarantee with Prussia which I repudiated last year, and which, if we had used it properly, would have given us a position of authority with respect to France. That is to say, if I understand the argument, we should have been justified in going to France and speaking thus—"Pray observe we are bound to Prussia by a guarantee which will compel us to go to war in case the Saxon province is invaded, and, that being so, as we have an interest in the quarrel, we are entitled to require you to hold back." But the right hon. Gentleman, at the same time that he holds we were thus entitled to claim an interest in the quarrel and a commanding power over the act of France, on the ground of our being under an obligation to go to war, has expressly disclaimed the idea of our going to war in the case, and has told us that he was not ready to counsel such a course. The right hon. Gentleman has laid down doctrines with regard to guarantees which are totally fatal to the argument he has used. I beg the House to follow me while I try to apply to the case his argument and opinions. He says we were to present ourselves before the Emperor Napoleon, and claim the right to check the policy of France: because the policy of France was war, and that war might involve the invasion of Saxony, we should be bound by our guarantee, and consequently bound to take up arms. In the major portion of the speech of the right hon. Gentleman he laid down a theory perfectly new—I never heard it before—of the nature and binding force of guarantees. What is it? He says that in the case of giving a territorial guarantee, you bind yourself to the Sovereign of the territory to respect that territory; you bind yourself to the other parties to the guarantee in a much higher degree, and there the liability of going to war even may be involved. [Mr. DISRAELI: In a joint and separate guarantee.] The guarantee is not a joint and separate guarantee. It is this—

> "Austria, Russia, Great Britain, and France guarantee to his Majesty the King of Prussia and his descendants and successors the possession of the countries marked out in the 15th Article as full property and sovereignty."

That is a joint guarantee; in the

strictest sense it is a joint guarantee. Now, I have got from the mouth of the right hon. Gentleman a definition of the exact binding force of a joint guarantee, and from his mouth I fasten him to this —that the amount of obligation put upon us by that joint guarantee, so far as regarded Prussia and the sovereignty of the territory, was that we were ourselves to respect the King's possession of that sovereignty, and it amounted to nothing more. And when the right hon. Gentleman can reconcile together these two portions of his speech in which he laid down doctrines, one of which directly inculpated us, and the other of which directly exculpated us, I will only say that he will show an ingenuity greater than he has ever manifested in the whole course of his long Parliamentary career. The right hon. Gentleman says there has been a great deal of most melancholy talk with regard to the repudiation of treaties, and I might agree with the right hon. Gentleman up to a certain point. What we think of the sanctity of treaties is to be learnt from the declarations of Lord Granville during last autumn. But do not let us exaggerate the case; do not let us make matters worse than they are. By needlessly finding other Powers guilty of the repudiation of treaties, we are not taking a course likely to mollify or to convert them; but we are taking a course likely to isolate ourselves, and, in isolating ourselves, to deprive ourselves of all power for good. The right hon. Gentleman says that an end is now put to the Treaty of Luxemburg. I must say I think there was no occasion on which the Luxemburg Treaty was in so great danger of being put an end to as it was upon an occasion which occurred within a fortnight after it had been signed. That was the occasion when the doctrine was laid down, or understood to be laid down, that when a number of Powers concurred in a guarantee, any one of those Powers making default, the rest were absolutely released. I can only say that so long as the idea that such a doctrine was laid down by the British Government was allowed to possess the public mind all Englishmen should be cautious of using rash language in charging others with the repudiation of treaties. But I deny that the Treaty of Luxemburg has been put an end to by what happened in the autumn. I presume the right hon. Gentleman to mean that when he heard of the proceeding of the Prussian Government in regard to Luxemburg, it was a proceeding which raised apprehension in his mind; and so far I am perfectly willing to travel with him. But, consider, we have had from what I ought to call the German Government a most explicit and full assurance that the objection which they took to the proceedings of Luxemburg was an objection with respect to military purposes and military necessities alone, and that they expressly, fully, and absolutely recognized the binding character of the Treaty of 1868. It is not for us to maintain, and the right hon. Gentleman will not maintain, that it will be just on our part—nay, more, that it would be politic —to say that the Prussian Government had put an end to the Treaty. Before I part altogether from the question of the Note of Prince Gortchakoff, I must refer to another portion of the speech of the right hon. Gentleman. He discussed at great length — perhaps greater length than was necessary on an occasion of this kind—the Crimean War. He said that one valuable result of that war was the neutralization of the Black Sea, and that when we received the Note of Prince Gortchakoff, stating that in consequence of what Russia considered to be breaches of treaty she was no longer bound to observe its stipulations with reference to the Black Sea, we ought to have warned her that she must take the consequences; and what the consequences are in this case there can be no doubt whatever. But the right hon. Gentleman says that the Treaty of 1856, if it produced nothing else, produced one result of the utmost value and of the most vital importance in the East—namely, the neutralization of the Black Sea. That was never, so far as I know, the view of the British Government. In this House, in the year 1856, I declared my confident conviction that it was impossible to maintain the neutralization of the Black Sea. I do not speak from direct communication with Lord Clarendon; but I have been told since his death that he never attached value to that neutralization. Again, I do not speak from direct communication, but I have been told that Lord Palmerston always looked upon the neutralization as an arrangement which might be maintained and held together for a limited number of years, but which, from its character, it was impossible to maintain as a permanent condition for a great settlement of Europe. However that may be, let me now try the wisdom of the right hon. Gentleman by the doctrine he lays down. It is this —that we ought to have held very short language with Russia, ought not to have entertained the project of a Conference, and, at all hazards and all extremities, ought to have staked ourselves upon the neutralization of the Black Sea. Now I come to the ground of positive fact when I say that if we had been prepared for that most chivalrous resolution we should have adopted it with our eyes open to the fact that no one Power in Europe shared our opinion, or would be in the slightest degree responsible for our acts. Who is it that you would have looked to in order to maintain the policy in the East, if matters now stood again as they were? France. But France by official acts expressed her readiness to give up the neutrality of the Black Sea. Which is the Power most disposed to go with us in maintaining the spirit of the Treaty of 1856? The Austro-Hungarian Government. But they several years ago proposed to Russia that the Treaty should be altered, and that the neutrality of the Black Sea should be abandoned; and it is in this state of things that the right hon. Gentleman finds it necessary to introduce to-night the polemics of the case before the House of Commons, and to show how wrong we were not to go to war single-handed in order to force on Russia the permanent contraction of her rights of sovereignty over a portion of her territory. I am perfectly content to leave to the House and to the country the judgment on that portion of the question; and I think I have shown in some degree what would have been our predicament if, adopting the doctrines of the right hon. Gentleman with respect to guarantees, we had endeavoured to make the guarantee to Prussia. With regard to the general question of the guarantee which the right hon. Gentleman says I repudiated last year, I used no such expression. I declined to be bound by the stringent application of the doctrine of the right hon. Gentleman, a doctrine which he is himself obliged to overturn to-night. I have shown that there are circumstances which I think brings the greatest weight to bear upon the nature of the guarantee—namely, the total change that has taken place in regard to the constitution of Germany, and the vast extension and power of the territorial sovereignty of Prussia. The right hon. Gentleman would cut up the guarantee by the roots. It would be most ungrateful on my part if I were to pursue his position of the subject into further analysis; but the right hon. Gentleman has not done with us, and I have not done with his argument, for the point of his charge was this—that our diplomatic weakness was traceable to our military weakness, and our military weakness was traceable in errors, in harum-scarum Budgets; and our harum-scarum Budgets were ultimately referable to rash rhetoric in Lancashire. I think the House will agree that it would not be respectful, either to the right hon. Gentleman, or to the House itself, if I were not to test, in some degree, these rather grave allegations which he has made. Having raised to its climax his argument of interference, the right hon. Gentleman said, here I should be met with the observation "That's all very well—but we have no armaments." Now, let us test the question, whether there were armaments or not. This is a relative term. There are a certain number of Gentlemen in this House who will contend that we have no armaments—that is, we have not sufficient armaments until the whole population of military years are armed —not the whole population which occupies the Benches of this House to which I belong, but that nothing short of an armed nation can be considered a nation properly prepared with the means of defence. I disclaim that standard; and certainly the right hon. Gentleman has not appealed to it. Now, what standard have we to go by? It is quite obvious. The right hon. Gentleman said that we had no armaments, because we had dissolved or disbanded regiments, and that we had damaged, curtailed, and contracted the armaments of the nation in pursuit of the frivolous purpose of affording some fiscal relief to the people. Well, so far as I am aware, every word I spoke in Lancashire on the subject of economy I adhere to. The right hon. Gentleman said that we reduced and enfeebled the armaments of the country, and that we had no armaments to support our diplomacy. I will try a mode of testing this by reference to former years. I will take the armaments of last year, when the right hon. Gentleman said we had no armaments, or—for he changed the phrase—only "attenuated armaments," and probably the latter is the idea which the right hon. Gentleman, in the use of his copious vocabulary, intended by preference to convey. I have often known the right hon. Gentleman to be great in this House on the subject of armaments, and the last time he so displayed himself he was not deploring "attenuated" armaments, but denouncing "bloated armaments;" and it will be found curious to illustrate by the familiar test of arithemetic what are his notions with respect to "attenuated armaments," and what they are with respect to "bloated armaments." There may be bloated armaments either by sea or by land; but I am not going to enter into the naval part of the case, and for the reason that during the discussion of last summer, when the policy of the Government was questioned with respect to military matters, admissions were frankly made by many of the objectors—some of them sitting on the Opposition Benches—that we had a powerful and efficient fleet. In 1862, however, the armaments of the country had, according to the right hon. Gentleman, reached such portentous dimensions that he was obliged to express his indignation at them, and denounced them as "bloated armaments." In that year the whole of the regular force available for home service amounted to 92,270 men, according to the Estimates. That, then, was a "bloated armament." In 1870 the force at home, on the Estimates of the regular Army was 89,051; and yet the right hon. Gentleman spoke of the 92,000 men as a bloated armament, and of the 89,000 as an attenuated armament, the difference between the two amounts being only about 3,000. It must also be recollected that in the days of the bloated armament of 92,000 men we had no reserve—not a man to bless ourselves with—but in the days of the attenuated armament of 89,000 men we had a reserve of more than 20,000 men, liable to serve abroad. Then the right hon. Gentleman says we disbanded veterans. What we did was this—we disbanded the men who were uselessly employed, in order that we might depend upon men who should be usefully employed, and that is the principle of economy, that is the principle of rash rhetoric in Lancashire, and that is the principle which my right hon. Friend near me (the Chancellor of the Exchequer) is said to have adopted in his "harum-scarum Budgets," by which the country has received a remission of taxation, amounting to more than £4,000,000 or £5,000,000. [The CHANCELLOR of the EXCHEQUER: Eight millions.] At any rate, I hope that we have effectually stopped the mouth of the right hon. Gentleman upon the subject of attenuated armaments. But it may be as well to give the figures for 1868, when the armaments, being under the charge of the right hon. Gentleman, would, of course, be proper armaments, for I find that, whereas there was an attenuated army in 1870, available for home defence, amounting to 89,000, in 1868 the proper and sufficient number was 87,500. Nor is that the whole of the case, because the reserves were then comparatively in their infancy, and while in 1868 they amounted to only 3,500, in 1870 they numbered 20,000. Now, I ask the House—I ask Gentlemen in whatever part of the House they may sit—I think I may even ask the right hon. Gentleman himself—what sort of a case he has made out upon the question of attenuated armaments, and consequent impotence to support the just influence of England? I depart entirely now from the polemical portion of the case, though, of course, it is in the discretion of other Gentlemen to pursue it to any extent they may think fit. It is natural and right that the right hon. Gentleman should state his objections as important points affecting the conduct of the Government, especially as such a statement reaches over the Recess, and it is also right that we should defend our conduct. There is very little more to say before I sit down. With the right hon. Gentleman I feel there are other considerations which rise much above these, even although they be not void of importance. I cannot say that I have been greatly impressed with what has been said with regard to the special dangers to this country involved in the present aspect of affairs; but I am deeply impressed with the melancholy and doubtful character of the prospects which hang before Europe. I know that our minds have been to a certain extent relieved by the armistice which has been accomplished within the last few days. Let us hope it may be renewed if necessary. Let us hope that the transactions which occur within it may be transactions of a nature to lead to a durable peace. But I think it would be rash on our part to indulge in too sanguine anticipations. Hope for peace we may; but we must not at present reckon too confidently upon the fulfilment of our hopes. If we look forward to the future, no doubt it is necessary for us to consider what is the position of this country with reference to Europe at large; and for my own part, separating the position of this country, ideally and for purposes of argument, for a moment from that of Europe, I cannot but feel that we have some reason to be thankful—thankful for the position of the country, and thankful for the union of the people, to which the right hon. Gentleman to-night referred, and in many respects has rendered such emphatic and handsome testimony. But I should probably find the right hon. Gentleman agreeing with me—or, using more respectful language, I should find myself agreeing with the right hon. Gentleman—that, while it is a mistake for us ever to be laboriously endeavouring to show that we are in danger, and that somebody or other is meditating mischief against us, it would be, on the other hand, a gross error to lay down doctrines of non-interference in the manner of a rigid formula. I am now speaking in my own individual capacity, and I do not wish in any way to bind my Colleagues in what may fall from me. I should not wish to bind any other person to the feeling that I myself entertain of the power, the security, and the independence of this country, come what may. But I admit, and am the first to assert that, whatever be that security, power, and independence, we have no right to wrap ourselves up in an absolute and selfish isolation. We have a history, we have traditions, we have living, constant, perpetual, multiplied intercourse and contact with every people in Europe. We should be unworthy of the recollections of our past, unworthy of our hopes of the future, unworthy of the greatness of the present, if we disowned the obligations which arise out of these relations to others more liable to suffer than ourselves. Sympathy and fellow-feeling in Europe, with the duties which arise from sympathy and fellow-feeling, never can be forgotten in this country, and I fully admit that the exercise of these duties is not to be separated from the consideration of the state of your military power and the efficiency of your armaments; while I venture to think we are not open to the charges of the right hon. Gentleman in this respect. Admitting this, I also feel that in this country our great desire is to see from year to year more and more ascendancy given to moral over material forces. Perhaps in that respect during our lifetime many of us may have been too sanguine. Perhaps at this moment some of us may, on the contrary, be too desponding. But I venture to say that probably the year upon which we have lately entered will establish much, and confirm much that is now doubtful and open to dispute with respect to what Europe has to hope in the future, and what Europe has to fear from the relations between moral and material forces. Of course, what we mean when we speak of moral and material forces is not the mere change from one epithet to another of a different character. When we speak of material forces we mean overpowering violence, and by moral forces we mean that rule of right which is the protection of all peoples. I trust we shall never be led into the error of supposing that we improve our own condition in the face of Europe by setting up theories of imaginary interests which we do not possess, or which if we do possess them, are not exposed to danger. Here I claim the liberty of criticizing the historical statement adopted by the right hon. Gentleman from Earl Russell, with regard to States, by the example of which it is said we should take warning, and which have perished not through any fault of their own, but because other nations envied them their happiness and prosperity. I have asked what these States are, and have not been able to obtain an answer. The right hon. Gentleman is the first person bold enough to attempt an answer, and he cites the instance of Venice and the League of Cambrai. Now, though Venice there had a good case, it was certainly not one of entire abstinence, as far as she was concerned, from the policy of violence and aggression. The League of Cambrai came and went, and Venice, which had lived long before it, survived the League of Cambrai, succeeded against the combination, and it therefore does not form an illustration in support of the doctrine which has been taken over by the right hon. Gentleman from my noble Friend Lord Russell, and which, I think, is wanting in historical foundation. For my own part, I am persuaded that a just, a moderate, and practical view of our national security, combined with those careful preparations which we ought to make for the efficiency of our military system, is the best policy for ourselves and the best policy for others, and that by the avoidance of all fantastic theories —whether theories of security and isolation or of alarm—we shall most safely discharge our duty both to ourselves and others. For the present, I do not enter into the question of military preparation, because, as my right hon. Friend has shown, within seven days the House will be fully possessed of the views of the Government, and it would, therefore, be obviously impossible to discuss a matter of this kind with satisfaction upon the present occasion. Perhaps I ought to state that, while we have found it our duty, as has been stated in the gracious Speech from the Throne, to refrain from whatever might savour of the appearance of impertinent interference or whatever might justly diminish any claim we might have on the goodwill and attention of the two great belligerent Powers, we have certainly redeemed by acts the pledges we gave of perpetual and vigilant watchfulness over all the turns and movements both of policy and of war. We began, as the House knows, by endeavouring to procure the withdrawal of the candidature of Prince Hohenzollern; and in that endeavour, acting in concurrence with others, we were successful. We then ventured to disapprove the demand made by France upon the King of Prussia (now the Emperor of Germany) for a prospective engagement; and there it was our misfortune to fail. We then appealed to the Treaty of 1856, and endeavoured, in a practical form, to set up the wise doctrine that the disputes of States ought to be referred to some competent tribunal for settlement. But we did not obtain a hearing. After the war broke out many questions still arose —scarcely a week or a fortnight, indeed, passed without them—upon which we had to consider nice matters for intervention,—I mean intervention by request or expostulation. I need hardly say that all we have done has been done with a perfect and absolute impartiality. The first appeal addressed to us in the course of the war was made by Germany with a view to induce us to favour to the utmost of our power arrangements, not perhaps strictly justifiable upon the bare ground of neutral obligation, for the transit of wounded soldiers through the territory of Luxemburg. Of course we could do nothing to extend unduly the rights of neutrals or disparage their obligations. This was an appeal in the name of humanity, and therefore we ourselves waived every objection to the transit of the wounded, and did all we could to recommend the adoption of a similar course to other Powers. It was declined at the time; but such has been the force of circumstances, and the overpowering necessity arising during the gigantic operations of the war, that, from what I have read in public journals, that has been done in the interests of Germany and France for which we tried to procure a sanction at the earliest period, and soldiers wounded in action have been transported across neutral territory. As has been stated in the Speech, we have endeavoured to bring the parties together. I shall not dwell on the efforts which we made to bring about the conferences which resulted in the meeting between Count Bismarck and M. Jules Favre, or that which was held with M. Thiers. We did, perhaps, stretch a point, but in language so respectful that no objection could be taken, in expressing an earnest desire—thus only making ourselves the mouthpiece of universal humanity—that the extreme measure of bombardment should not be had recourse to against a magnificent and beautiful city. And, perhaps, when we take into account the great severity by which the war has been characterized, we have less to lament with respect to this point than with regard to many other subjects, notwithstanding that a great deal of alarm and exasperation was created. We ventured, I may add, to favour, so far as we might in friendly communication with the Government of Defence in France, those plans for calling together an Assembly fully authorized to represent the nation, which are only now about to reach their consummation. We ventured to point out that little good was likely to arise from the multiplication of abstract declarations with reference to the terms of peace, as they would probably operate rather in the way of obstacle than the contrary. My noble Friend (Earl Granville) endeavoured, with the utmost persistence, to cause that France should be represented in the Conference which is now sitting in London, and it is matter of great regret to us that this endeavour has failed; and lastly, perhaps, I may say in regard to political measures, we ventured to suggest to the Government of Germany that it would be conducive to the general welfare if they found themselves in a condition to make known to the world what were the terms of peace which they deemed to be required, having regard to the honour and safety of their country. There remains but one other measure which we have taken, in which we, perhaps, have assumed a responsibility that may render it necessary that we should come to Parliament to give it its final authority. I do not know how that may be; but we were of opinion that we should be giving effect to the feeling of this country and performing a duty if, at a critical moment, when we were just told that in Paris there was danger of extensive famine from the absolute want of food, we offered to place at the disposal of the two Governments on their joint representation, for the purpose of immediate relief, whatever stores we had in the victualling yards of the country. It was not our fault—it was, I believe, the fault of no one—but I have to regret sincerely that it was only last night we received anything which we could consider as a joint answer to our offer, and when I inform the House of this circumstance, it will not, I think, be regarded as discreditable to the condition of the public Departments that, as I understand, three vessels took their departure for France with provisions in the middle of the day. I may add that it is our duty and desire to continue to act in a similar spirit. It is impossible to divest ourselves of the deepest interest in the events which are now going on on the Continent, and, independently of the measures to which I have specially referred, we have carefully reserved to ourselves all along full liberty of action. We have at no time subscribed to the doctrine that a war between two belligerents is the concern of those two belligerents exclusively. It is, no doubt, their concern in the first instance, and, with respect to it, they have a primary authority; but the effects of such a war are not and cannot be confined to them. The time may come—I do not not say it will come; I hope it may not come—when the need may exist for some expression of the general sentiment of the neutral Powers on questions which may become of deep practical issue. If that need does arise, I feel perfectly satisfied that such an expression of neutral opinion, apart from all imputations of selfish interest, in claiming for itself only to be the living utterance of the voice of civilized mankind, would have a genial, kindly, and beneficial influence in bringing about the realization of a satisfactory settlement between the contending parties. And I am sure that, although the right hon. Gentleman opposite and myself have broken lances to-night across this Table, he will agree with me that there is no reason why all parties in this House, and in the House of Lords, should not unite in supporting the Government in any measure they may take with the view of preventing human suffering in this formidable war.

MR. NEWDEGATE: I desire, before this debate closes, to say a few words with reference to what has fallen from the right hon. Gentleman the Member for Buckinghamshire. I do not believe that there is reason for the abject alarm on account of the interests of this country which the right hon. Gentleman has expressed, although, on account of the critical state of affairs upon the Continent, I believe that there is reason for prompt exertion. The right hon. Gentleman congratulated the Prime Minister on his triumph in the disestablishment of the Irish Church. ["Hear, hear!"] I am not surprised that hon. Gentlemen opposite should express their satisfaction at finding that, according to the right hon. Gentleman the Member for Buckinghamshire, there is to be no opposition from the Conservative party, as a party, to the adoption of the measures which they advocate. I suppose that this will be likewise the case with respect to the abolition of the University Tests and the Ballot, which were honestly advocated by the Seconder of the Address, the hon. Member for Bristol (Mr.

Morley), especially the abolition of the tests in the Universities, which the hon. Member advocated in the sense of the hon. Member for Bradford (Mr. Miall.) Now, I know that I speak not only the opinions of my own constituents, but those of thousands—nay, hundreds of thousands—of educated men, when I object to these measures on constitutional grounds; while, as regards these measures, the right hon. Gentleman the Member for Buckinghamshire at once accepts in principle the programme of the Government and of hon. Gentlemen opposite. Such conduct on the part of the right hon. Gentleman—and he spoke emphatically as the organ of the Conservative party in this House—such conduct is destructive of the Conservative party in the country, for the right hon. Gentleman declared his full acceptance not only of the commercial policy called free trade, which had its source among hon. Gentlemen opposite, but, further, his full acceptance of the doctrine of religious equality, as held by hon. Gentlemen on the Government side of the House. I believe, Sir, that it is advantageous to the constitution of this country, and for the conduct of business in this House, that there should be two parties — one supporting the Government, the others represented by the Opposition in this House—so long as there is in this country an honest and distinct difference of opinion on general politics. I, therefore, deprecate the announcement of submission on the questions of internal policy, to which I have alluded, by the right hon. Gentleman the Member for Buckinghamshire; such conduct on his part is destructive of the Conservative party. Allusion has been made to the letter, written by the right hon. Gentleman the Prime Minister, promising the support of the Government to the spiritual authority of the Pope. I understand that a Notice has been given by some hon. Member on this subject. I am glad of this, and that we shall have a specific discussion of this subject. It does seem to me lamentable and inconsistent with the views upon which many hon. Gentlemen opposite supported the disestablishment of the Church in Ireland, that the right hon. Gentleman the Prime Minister should attempt to establish the spiritual authority of the Pope everywhere, and in Ireland especially, after he has done all he can to disestablish the spiritual authority of the Protestant Church in Ireland. I was unwilling, Sir, that this debate should close without my entering this emphatic protest against the abandonment of principles to which I have been long attached.

Sir JAMES ELPHINSTONE said, that the following passage with reference to the Army appeared in Her Majesty's Speech:—

> "The lessons of military experience afforded by the present war have been numerous and important. The time appears appropriate for turning such lessons to account."

But he looked in vain to find any allusion to the confusion which existed at present in the administration of the Admiralty, or to the enormous deficiencies in the material of our naval force, in the number and quality of our vessels, and in the men required for the defence of the country. As his noble Friend the Member for Chichester (Lord Henry Lennox) had given Notice that he would early in March call attention to the loss of Her Majesty's ship *Captain*, he would only say now that it was a very extraordinary thing that the confusion which existed at the Admiralty—the First Lord being absent for the sake of his health, and there being no one in his place—should not have been alluded to in Her Majesty's Speech.

Motion *agreed to*.

Committee *appointed*, to draw up an Address to be presented to Her Majesty upon the said Resolution:—Mr. John Hamilton, Mr. Morley, Mr. Gladstone, Mr. Chancellor of the Exchequer, Mr. Secretary Bruce, Mr. Secretary Cardwell, Mr. Goschen, Mr. William Edward Forster, Mr. Ayrton, Mr. Attorney General, Mr. Stansfeld, Viscount Enfield, Mr. Knatchbull-Hugessen, Mr. Monsell, The Judge Advocate, Mr. Glyn, and Mr. Adam, or any Five of them:—To withdraw immediately:—Queen's Speech *referred*.

CONTROVERTED ELECTIONS.

Mr. Speaker informed the House, that he had received from the Judges selected, pursuant to the Parliamentary Elections Act, 1868, for the trial of Election Petitions, Certificates and Reports relating to the Elections for the Borough of Brecon; for the Borough of Shrewsbury; for the City of Norwich. And the same were severally read.

Brecon Borough Election.—Certificate of Mr. Justice Byles.—In the matter of the Petition relating to the last Election of a Member of Parliament for the Borough of Brecon. That the Respondent James Price William Gwynne Holford was duly elected and returned at the said Election.

Shrewsbury Borough Election.—Certificate of Mr. Justice Channell.—In the matter of the Petition relating to the last Election of a Member of Parliament for the Borough of Shrewsbury. That Douglas Straight, esquire, was duly elected and returned at the said Election.

Norwich City Election.—Certificate of Mr. Justice Keating.—In the matter of a Petition in which Gardener Christopher Stevens was Petitioner; and Jacob Henry Tillett was Respondent. That the said Jacob Henry Tillett was not duly returned or elected to serve in Parliament for the said City of Norwich. That the Election of the said Jacob Henry Tillett for the City of Norwich was a void Election. [And other facts found.]

House adjourned at a quarter after Nine o'clock.

HOUSE OF LORDS,

Friday, 10*th February*, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—West African Settlements* (1); Ecclesiastical Dilapidations* (2).

DEBATE ON THE ADDRESS—MR. MONSELL'S SPEECH AT LIMERICK.

EXPLANATION.

EARL **GRANVILLE** desired permission to read to their Lordships a note which he had received from the Postmaster General. The note was as follows:—

> "My dear Granville,—The Duke of Richmond is reported to have attributed to me last night the statement 'that it was the intention of the Government to supplement the Land Act of last Session by another measure in the course of a couple of years.' Will you kindly take the trouble to say for me that I never made any such statement? What I said was—to repeat a promise made by C. Fortescue in the House of Commons with reference to labourers' dwellings—that a measure for improving them would probably be introduced in the course of the next two years.
>
> "I am, yours sincerely, W. MONSELL."

THE BANKRUPTCY ACT—PEERS.

QUESTION.

THE DUKE OF **RICHMOND** said, their Lordships were probably aware that by a recent decision Members of the House were liable to be adjudged bankrupt. He wished to ask the noble Earl the Secretary of State for Foreign Affairs, If he has considered whether any legislation is advisable in respect of any Peers adjudged bankrupt?

EARL **GRANVILLE** said, the matter had not escaped the attention of the Government. There was, he believed, a feeling on both sides the House that it was inconsistent with their dignity that Peers in the painful position referred to should sit and vote, and that some action should be taken in the matter. The Lord Chancellor had a measure under consideration, and he hoped the noble and learned Lord opposite (Lord Cairns), who, he believed, had paid some attention to the matter, would be kind enough to communicate with the noble and learned Lord on the Woolsack on the subject. He thought it desirable that a measure should be brought in at an early date.

LORD **WESTBURY** asked whether it was proposed to exempt Peers from the operation of the Bankruptcy Act, or whether it was proposed to follow the rule of the House of Commons, and to resolve that during bankruptcy a Peer should not be capable of sitting and voting in the House? In the latter case no legislation would be necessary, as it could be done simply by a Resolution.

EARL **GRANVILLE** said, that it was not proposed to alter the law with regard to the liability of a Peer to become bankrupt. The contemplated measure would simply affect his position in the House in the event of his being so adjudged. He believed it was the opinion of those who had considered the subject that a Resolution would not be sufficient. There were, moreover, some extraordinary anomalies in this matter with reference to Members of the House of Commons, and the Government would endeavour to correct these, at the same time that they sought to provide for the case of bankrupt Peers.

CHAIRMAN OF COMMITTEES.

EARL **GRANVILLE** *moved* that the Viscount Eversley be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale from illness.

Motion *agreed to.*

MARRIAGE OF THE PRINCESS LOUISE.

MESSAGE FROM THE QUEEN.

Delivered by the Earl Granville, and read by the Lord Chancellor as follows:

Victoria R.,

Her Majesty relies upon the cordial interest which the House of Lords has expressed in the approaching marriage between the Princess Louise and the Marquess of Lorne:

The numerous proofs which the Queen has received of their loyalty to Her Throne, and of their attachment to Her Person and Family, lead Her to hope that they will make such provision for the Princess Louise, with a view to the proposed marriage, as may be suitable to the dignity of the Crown:

Ordered, That the said Message be taken into consideration on *Monday* next.

WEST AFRICAN SETTLEMENTS BILL [H.L.]

A Bill for extending the jurisdiction of the Courts of the West African Settlements to certain offences committed out of Her Majesty's Dominions—Was *presented* by The Earl of Kimberley; read 1ª. (No. 1.)

ECCLESIASTICAL DILAPIDATIONS BILL [H.L.]

A Bill for the amendment of the Law relating to Ecclesiastical Dilapidations—Was *presented* by The Lord Archbishop of York; read 1ª. (No. 2.)

House adjourned at half past Six o'clock, to Monday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, 10*th February*, 1871.

MINUTES.]—New Writ Issued—*For* Westmoreland County, *v.* Thomas Taylour, commonly called Earl of Bective, now Marquess of Headfort.

Select Committee—Kitchen and Refreshment Rooms (House of Commons) *nominated.*

Public Bills—*Resolutions in Committee—Ordered—First Reading*—University Tests [6]; Merchant Shipping Survey * [3]; Burials * [7]; Parochial Councils * [10].

Ordered—First Reading—Citation Amendment (Scotland) * [1]; Marriage with a Deceased Wife's Sister * [2]; Game Laws (Scotland) Amendment * [4]; Railway Companies * [5]; Sunday Trading * [8]; Hypothec Abolition (Scotland) * [9].

THE CONFERENCE.—QUESTION.

Sir CHARLES W. DILKE said, he would beg to ask the Under Secretary of State for Foreign Affairs, Whether the Papers relating to the Conference which are to be laid upon the Table will contain all Communications received by Her Majesty's Government in reference to proposed action on the part of other Powers consequent upon the Circular Note of Prince Gortschakoff?

Viscount ENFIELD, in reply, said, that all Papers in connection with the hon. Baronet's Question which could be published without detriment to the public interests would be included in the documents to be presented to Parliament. Two sets of Papers in relation to that subject and the Franco-Prussian War had been just laid upon the Table.

NEW COURTS OF JUSTICE.—QUESTION

Mr. G. B. GREGORY asked the First Commissioner of Works, What was the cause of the delay in commencing the building of the New Courts of Justice?

Mr. AYRTON, in reply, said, he was not surprised at the Question of the hon. Gentleman, considering the interest he had taken in the subject, and the extraordinary statements which had been persistently repeated during the Recess—that in consequence of his (Mr. Ayrton's) dislike and opposition to the present scheme for building the new Law Courts, he had done his best to prevent the commencement of the work. The project for the erection of the building was submitted to the House by the hon. and learned Member for Richmond (Sir Roundell Palmer) six years ago. The proposition was that the Government should purchase the site at a cost of £750,000, and should erect the new Courts of Justice upon it, at a cost of a similar sum. Commissioners were appointed to give their sanction to the details of the project, and to give their guarantee to the House that the expenditure on the whole should not exceed £1,500,000. When that plan was brought before the House he (Mr. Ayrton) gave it his earnest support, and urged the House to carry it into effect at the earliest possible period. But the Commissioners, instead of acting in conformity with the statute, after giving the guarantee required, proceeded to entertain a project which resulted in their adopting a scheme, which would involve an expenditure of £3,250,000, in place of the sum originally contemplated. That scheme was found to a certain extent matured when Her Majesty's present Government succeeded to Office; but, in consequence of the discussions which were then raised, nothing was done for a year: and it was not until the Christmas before last that he was requested to take steps to induce the Commissioners, and all parties concerned, to adopt some plan to give effect to the intentions which Parliament had expressed in the Act they had passed. Now, it would have been almost easier to have begun *de novo* than to have reduced the scheme from the dimensions of £3,250,000 to which it had swollen—and in the meanwhile the purchases of land had expanded to £900,000—to its original dimensions of £1,500,000: but, after going into all the details, they were able to bring the project for the building itself within the original compass. Still difficulties arose in reference to the construction, which were so serious that as early as March he (Mr. Ayrton) suggested to the architect that he must radically change his plan if he were to conform to the wishes of Parliament. The architect exerted all his skill and ingenuity to carry out his own design; but in July he came to the conclusion that it would be better to take the course which he (Mr. Ayrton) had suggested months before, and prepared a revised plan. In August last the Commissioners signed their Report approving of the revised plan, and it was sent to him from the Treasury with the request that he would take the necessary steps to carry it into effect. The first question he had to consider was what was to be the duty of the architect, who would be responsible to the Government and to Parliament that the plan would be carried out for the sum that Parliament had thought fit to provide. It was not until the end of September that a formal contract was made with the architect, clearly defining his duties and his relations to the Office of Works; and directions were immediately thereon given to prepare a sketch plan. The architect stated that it was impossible to do that before the 1st January last, and that working plans could not be prepared before the 1st July. In order that no delay should take place in proceeding with the work, he (Mr. Ayrton) requested the architect to prepare immediately specifications in order to lay in the foundation, and to get the ground ready for the superstructure. At the end of November, while the sketch plan was in progress, the specifications were sent in, and tenders for this part of the work were invited, on the condition that it should be completed by September next. It required some time for the builders to ascertain what was the work for which tenders were asked; but as soon as they were aware of the nature and extent of the work, they protested against the shortness of time allowed them for its completion. In consequence the time was extended from the 1st September to 1st February, when the foundation would be completed. He did not think that this would lead to any delay in the erection of the building, because in the meantime all the working drawings and preliminary steps for the superstructure would be going on. The contractors were to go on *pari passû* with the preparation of the working plans and drawings, so that the moment the foundations were completed they would be in a position to ask for tenders for the whole work. So desirous were the Government to have the work carried out properly and promptly, that notice had been given for the purchase of additional land that would be required. The result would be that—apart from the additional expense in the purchase of land, which could not be avoided—the building would be erected for the sum originally proposed—namely, £750,000, and he ventured to assert that it would be a more useful building, and better in every respect, than it would have been if the vast expenditure which the Government had checked had been incurred.

THE BLACK SEA CONFERENCE — REFUSAL OF A SAFE CONDUCT TO THE FRENCH PLENIPOTENTIARY.

QUESTION.

MR. AUBERON HERBERT said, he would beg to ask the First Lord of the Treasury, Whether it is the case that the Prussian authorities, at the instance of the English Government, promised a safe conduct to a French Plenipotentiary to attend the Conference, and after having done so refused to grant the safe conduct; and if such has been the case, what course has been taken by Her Majesty's Government?

MR. GLADSTONE: The course of the transactions with respect to the safe conduct for the Foreign Minister of the Defence Government of France has been somewhat minute and difficult to follow, and I will not attempt to state, in answer to my hon. Friend, the whole of the details. But as he has raised the question, and as there is, perhaps, a notion abroad that there has been something like a breach of faith, I will state enough to give, I think, a fair view of the matter. In the first place, a request was made on the 27th of November, through M. Tissot, the French Chargé d'Affaires, that a safe conduct might be afforded to M. Jules Favre through the Prussian lines in order to allow of his attending the Conference on Eastern affairs in London. This request was forwarded by Lord Granville through the kind intervention of Count Bernstorff, the German Ambassador. The answer received from Count Bismarck was that a safe conduct was at M. Jules Favre's disposal, but that it must be sent for by M. Favre—and the reason he gave for that peculiar method of proceeding was that a flag of truce sent in by the Germans had been fired upon by the French. Whether this statement is erroneous or not we need not stay to inquire; but it was the reason given why M. Favre must send for the safe conduct. The safe conduct was not sent for at that time; but on the 13th of January M. Jules Favre applied himself to Count Bismarck, and the answer given was that the application should not be made to him (Count Bismarck), but to the German military authorities. As late as the 18th of January Mr. Odo Russell wrote to Lord Granville, stating that no difficulty had been made in the matter on the part of the military authorities or by Count Bismarck, and that the French Minister had only to apply for, in order to receive, the safe conduct. But on the 22nd of January, when the bombardment of Paris had begun, the military authorities of the German army declared that no one could be allowed to enter or leave Paris during the period of the bombardment; and that, no doubt, is the circumstance which may have been construed by some into an abrupt refusal on the part of the Germans of that which had been previously conceded. No doubt it was a refusal; but it was a refusal with a reason assigned: and at the same time as the German authorities came to that conclusion M. Favre himself on the very next day—for it was on the 23rd of January—wrote to say that there were various reasons, which he would not state in detail, irrespective altogether of this conclusion of the Germans, which would prevent him from absenting himself from Paris during circumstances so critical as those which at that time had arisen. With respect to the proceedings of Lord Granville in this matter, the endeavours we have made to procure the presence of a French representative at the Conference will appear quite clearly in the Papers which have been laid upon the Table, and which I hope will be very shortly in the hands of Members.

LICENSING BILL.—QUESTION.

Mr. ASSHETON CROSS said, he would beg to ask the Secretary of State for the Home Department, When it is his intention to bring forward his Bill on the Licensing of Houses for the Sale of Intoxicating Liquors?

Mr. BRUCE, in reply, said, he was unable at present to fix a day for introducing his promised Bill on the subject; but he assured his hon. Friend that he would bring it forward as soon as he had a fair opportunity of proceeding with it continuously. He might add that it was the full intention of the Government to get the Bill passed into law during the present Session.

FRANCE AND PRUSSIA—THE WAR—RE-VICTUALLING OF PARIS.

QUESTION.

Mr. BROWN said, he would beg to ask the Secretary to the Admiralty, Whether he is in a condition to give any information as to what assistance has been rendered by Her Majesty's Government from available stores in the re-victualling of Paris?

Mr. BAXTER: In reply to my hon. Friend, I beg to say that late on Wednesday evening the Admiralty received from the Foreign Office a request that such assistance as could be provided from the Government stores for the re-victualling of Paris should be sent off without delay. Our stock of provisions at present in the victualling yards is so large that 2,500 tons, amounting in value to nearly £50,000, can be spared for Paris without the slightest inconvenience to the naval service. In anticipation of such a demand probably being made, we had set apart large quantities of flour, biscuit, salt pork, salt beef, preserved beef, soup, essence of beef, and boiled mutton in readiness for shipment at a moment's notice; and the vessels to convey the stores were also waiting. Immediately on the receipt of the communication from the Foreign Office, telegraphic orders were sent to the various ports to begin to load the ships at daylight yesterday. I have to inform the House that the *Pelter* left Portsmouth, the *Buffalo* Deptford, and the *Helicon* Devonport, yesterday afternoon, all for Dieppe. The *Tamar* sails from Devonport and the *Buzzard* from Deptford to-day, both for Havre; and the *Valorous* and *Lord Panmure* for the same port will leave to-morrow. It will be a consolation to the right hon. Member for Buckinghamshire and those who believe with him that our stores are in such a lamentable condition to know that, if necessary, we could afford at least 1,000 tons more.

THE ADDRESS IN ANSWER TO THE QUEEN'S SPEECH.

Report of Address *brought up*, and read.

MR. BAILLIE COCHRANE desired to call attention to one point which had been omitted from the most able and interesting speech of his right hon. Friend the Member for Buckinghamshire in the course of the debate so abruptly terminated yesterday. He alluded to the subject referred to by Her Majesty when She expressed a hope that the armistice

> "May result in a Peace compatible, for the two great and brave nations involved, with security and with honour, and likely therefore to command the approval of Europe, and to give reasonable hopes of a long duration."

He wished in the first place to ask for some explanation from Her Majesty's Government as to the course they intended to adopt in regard to the impending negotiations. Unfortunately, a very general feeling of dissatisfaction prevailed throughout the country at the want of sympathy shown by Her Majesty's Government in respect of the great misfortune of our old friends and allies. ["No, no!"] That was a prevalent opinion, and it was justified by some of the expressions used by right hon. Gentlemen on the Treasury Bench in addressing their constituents. Of course he did not allude to the Prime Minister, who had not had an opportunity of visiting his constituents; but he had been surprised and grieved to see the spirit of exultation at the misfortunes of France, and the want of sympathy with the people of that unhappy country, exhibited in the speech made by the right hon. Gentleman the Home Secretary in his speech at Paisley. ["No, no!"] Those who would refer to the right hon. Gentleman's speech would find that he exulted over the calamities of France, because, he said, the result would be a greater confidence in England, because France in her prostrate condition would be less able to trouble this country. He was not quoting the right hon. Gentleman's precise words, but that was the tendency of his remarks. Now, he was quite ready to admit that while the war continued, whatever might be the feelings and sympathies of Her Majesty's Government, it was very difficult for them to interfere; in the first place, because, in the state of our naval and military preparations, our interference would not have been attended with much result. But now that the war had terminated, or was at least suspended, and the period for negotiations was at hand, the position of Her Majesty's Government had entirely changed, and he wished to urge upon them the necessity of attaching due importance to those negotiations. It could not be supposed that this country was uninterested in the new settlement of the map of Europe. In that very able article in a celebrated review which had become famous from having been attributed to a most important personage, and which might be described as "the happy-England and silver-streak article," there was a very strong passage as to the result of German unity as affecting Russia, Turkey, and the great Slavonian races. That showed that whoever wrote that article felt the importance of the reconstruction of the map of Europe in its bearing upon the interests of Europe. He hoped, therefore, that Her Majesty's Government would state to the House their views with respect to some of the rumours current as to the probable terms of peace. M. Prevost-Paradol—alas! now no more—when German unity was mooted in 1866, referring to what compensation France could have for that change, said there was but one course that France could take, and that was to fight, sword in hand, against German unity to the last gasp. He maintained, therefore, that they were now at the turning point of that momentous controversy, and that the greatest responsibility would rest upon Her Majesty's Government—perhaps within the next few days—if the terms of peace entered into were not those which would really give security to Europe. Some persons said that, however powerful Prussia might become, she would never do us any harm; but these tremendous changes must seriously affect the whole Continent. It was after the capitulation of Sedan that they had the Russian Note repudiating the Treaty of 1856; they had also seen mooted in a German paper the notion of the annexation of Denmark to Germany; and he should not be surprised if, in the course of time, the annexation of Belgium should likewise be suggested. Before the House, therefore, came to any question as to our armaments, they ought first to consider whether or not in future we were to maintain our treaty obligations. For himself, he felt much disheartened by what fell from the Prime Minister last night in speaking of that most important Treaty which it cost this country so much blood and treasure to secure—the Treaty of Paris of 1856. He was perfectly astonished to hear from the right hon. Gentleman that from the first, and as far back as 1855, he had always thought the clause of that Treaty preventing Russia from having a fleet in the Black Sea was unjust. ["No!"] Well, he had so understood the right hon. Gentleman, who also said that Lord Palmerston and Lord Clarendon were under the same impression. ["No!"] He should be glad to give the right hon. Gentleman an opportunity of correcting him. The right hon. Gentleman went on to state that Austria and other signataries of the Treaty had evinced a disposition to recede from that condition. If that was really so, how was it that when the Russian Note appeared it created panic and consternation in everybody's mind? And why did Lord Granville write that very able and spirited despatch, which was quite unmeaning if — as he understood from the Prime Minister's speech—they intended to give up that most important and vital part of the Treaty? What were the real facts of the case? So important was that clause of the Treaty that in 1855 the Conference of Vienna was broken up on that very point. In February there was an armistice; and for 11 months this country went on expending its blood and treasure in the Crimea for that very point and no other. Were they to be told, then, 14 years afterwards, that the matter was wholly unimportant and indifferent to this country? Having himself had some communication with St. Petersburg, he was led to believe that if our Government had only stuck to Lord Granville's despatch and insisted on the withdrawal of the Russian Note, that Note would have been withdrawn. But the moment they talked of a Conference it was known that the result would be what the right hon. Gentleman indicated last night—namely, that they were going to give up everything for which they had made such costly sacrifices. What confidence, then, was to be placed in treaty obligations? If the solemn stipulations regarding the neutralization of the Black Sea were to be set aside, how was anybody to feel certain that existing treaty obligations in respect to Belgium or other States would not be given up also? Before considering the question of armaments, then, it was most important to decide what they wanted to have armaments for—whether they meant to uphold the faith of treaties, or whether they would confine their policy merely to the defence of these islands, shutting themselves up in insular selfishness, not even caring for their own Colonies, and taking no interest whatever in events passing on the other side of the "silver streak of sea." If they were, indeed, to adopt a policy of isolation, then they would not require to increase their armaments. And here he could not help remarking on the inconsistency of the Government. If they thought the country now was really as safe as it was before the war, and that there was no danger, why did they propose to strengthen their defensive establishments? If they did not intend in future to take any interest in foreign affairs, he was at a loss to understand why they were going to add to the Army at all. But, on the other hand, he felt sure that if they intended to maintain the dignity of the country in the face of the world and to play their part in the affairs of Europe, they did require a greater force than they now possessed.

But they also required that the Government should have a distinct, clear, and avowed policy—that it should tell Europe plainly what it intended to do, and, having thus declared its intention, should firmly adhere to it. Unless this country was prepared to maintain its position in the face of Europe it would sink into a third or fourth-rate Power. In his opinion the Government were bound to declare to the House the course of policy they intended to pursue with reference to the approaching negotiations. The right hon. Gentleman would, in all probability, urge the necessity of waiting before such a declaration should be made. But the House had waited. They waited last Session for such a declaration, and it was the opinion of many eminent politicians that if the House of Commons had been allowed to speak out frankly last Session on the subject the war would have been prevented altogether. Such a declaration of opinion on the part of that House would have greatly influenced the mind of the then Emperor of the French, who, he must say, had been most ungenerously treated by the right hon. Gentleman the Prime Minister and his Friends. If the right hon. Gentleman did not choose to go to his constituents he had had ample opportunity at the Mansion House and elsewhere to express sympathy with the misfortunes of an ancient and a faithful ally. The right hon. Gentleman, however, had not thought fit to adopt such a course. The present condition of affairs was unsatisfactory, but something, at least, would have been achieved if the right hon. Gentleman could be induced to make a declaration to the House such as he asked for.

MR. GILPIN said, he had not intended to take part in this debate, which appeared to be a continuance of the discussion which occurred last evening. It was to be regretted that the hon. Member opposite (Mr. Baillie Cochrane) had not taken the opportunity of making his statement last night, when the speech of the right hon. Gentleman at the head of the Government was fresh in the memory of all. He took the liberty of asking the hon. Member upon what grounds he formed his estimate of the opinion of the country with reference to the policy that had been pursued by the Government in relation to foreign affairs. Had the hon. Member attended one public meeting where a thousand persons fairly called together had been present, in which he had been able to carry a resolution supporting the opinions which he had expressed to the House that night? He himself (Mr. Gilpin) had been present at four or five meetings within the last few months, at which the assembled thousands of working men had unanimously passed resolutions in favour of the policy of the Government. He joined issue with the hon. Member when he said that Her Majesty's Government—of whom the hon. Member was not more independent than himself—had been charged by the public with indifference or supineness with respect to the sufferings endured on the other side of the Channel. The hon. Member spoke of the indifference with which the Government had regarded the violation of treaties by certain Continental Powers, and yet in the same breath he blamed them for not taking steps to express sympathy with the misfortunes of a ruler for the expulsion of whose dynasty from the throne of France this country had engaged in the war that terminated in 1815, it being one of the stipulations of the Treaty entered into in that year that no Napoleon should ever sit upon the throne of France. It was extraordinary that the hon. Member should overlook the fact that that Treaty had been torn into shreds, while he expressed such unbounded surprise that another Treaty had been disregarded. The hon. Member had told the House that he had received communications from St. Petersburg. Perhaps the senders of those communications had mistaken the address of the Foreign Office. He had himself not had the advantage of receiving such private communications; but judging from the public communications from St. Petersburg, and from all he was able to learn from the Press of the different countries of Europe, he believed that the conduct of Her Majesty's Government in this matter had not only received the sanction of the people of those countries, but had met with the approval of even the parties directly concerned. The hon. Member opposite had referred to the subject of the increase in our armaments—a subject which would be brought under the consideration of the House before long, and had remarked that such increase would not be necessary if we intended to be selfish, and to rely for our security upon the silver streak of sea. They had been justly told the Government did not pursue so selfish a policy; but on behalf of thousands, he (Mr. Gilpin) wished to state that he would be content with an increase of our armaments only on the condition that there was no increase in the expenditure upon those forces. Could our armaments be rendered more efficient at their present cost the country would approve of changes by which such a result might be obtained; but if the Government meant that they were going to have armaments that should entitle this country to meddle in foreign quarrels, and to dictate to a country whether it should constitute itself a Republic, or should accept such and such a king, let this country be ever so rich, it would be unable to keep up the armaments necessary for that purpose. And he wished to say further, that if this Parliament separated without doing very much more than provide for an increase in our armaments, the country would be greatly dissatisfied. The people required large social reforms, and they believed that it was the intention of the Government to effect them. The true way to secure the country was to govern it justly, and to cause the incidence of taxation to be revised, and the taxation itself lightened as much as possible. They wanted measures to make the working men better and happier. Improve the position of the working man as much as possible, and no increase of an outside army would be required to defend the hearths and homes that would be so dear to all.

Sir HENRY SELWIN-IBBETSON said, he rose to express the regret not only of himself, but of a large number of people out-of-doors, that Her Majesty's Government had not seen fit to give a greater prominence to the Licensing question. He had no intention of underrating the importance to a large section of the community of the changes proposed to be effected by the various measures about to be introduced by Her Majesty's Government. But the Bill to which he should have wished greater prominence given affected the home of every poor man in the kingdom. The little he had done in that direction had been done with the view of pointing the road for the Government to follow, and from the promises held out last Session, and held out to the country during the last few months, he believed the Government really meant to deal with the question. In the course of the past Session, and during the last few months, promises had been given by the Government that this subject would be dealt with. He regretted to find that the answer the right hon. Gentleman the Secretary of State for the Home Department had given to a Question put to him that evening was very similar to one he had given last Session on the same subject. A Licensing Bill had been mentioned in the Queen's Speech of last year, and hon. Members had been told that such a measure would be brought in as soon as Her Majesty's Government could see their way to its being debated. But the end of the Session arrived without such a Bill being even laid upon the Table, and he was afraid that the matter would be shelved in a similar manner during the present Session. He trusted, however, that the right hon. Gentleman would give him an assurance that such a measure would be brought in shortly. Although the question did not bear a very attractive title, still it was one that deeply affected a very large section of the community.

Sir LAWRENCE PALK said, he did not rise to censure the past policy of the Government, because he did not regard the present as a very happy or convenient moment for discussing foreign affairs; but to remind the House that the speech of the First Minister of the Crown had raised the suspicion that a new line of policy was about to be adopted, and that they had a right to demand from the right hon. Gentleman a clear, plain, and straightforward declaration as to what shape that policy would take. As far as he could gather from the right hon. Gentleman's observations, he appeared to think it very doubtful whether there were any treaties in existence binding in any way on the honour of England. Certainly, the whole tenour of the right hon. Gentleman's speech had led him to imagine that Her Majesty's Government were prepared to abandon the treaty neutralizing the Black Sea. The question involved was a most important one. It certainly seemed to him that if we abandoned one treaty, a reason would be supplied by that course for declining to maintain any treaty to which we might be a party. The hon. Member for Northampton (Mr.

Gilpin) had rather supported the same view by instancing the case of the Napoleonic dynasty. No doubt this country was as much pledged to the prevention of that dynasty from being placed on the throne of France as it was pledged to any other undertaking that we had ever given. At the same time, he perfectly agreed with the statement of a great man, that treaties were not made to last for ever. But then it might fairly be asked what was to be the limit in regard to the binding force of treaties? If England must merely look on, then the smaller the army, the fewer the ships and soldiers, and the less expenditure we had the better; but if it was our duty to maintain the honour of England, in regard to her word and signature attached to treaties with foreign Powers, then it seemed to him that the amount and burden of the guarantee we had given should be determined early in the Session, and before the House proceeded to consider the Army and Navy Estimates. It was, therefore, of the highest importance that the Government should give an answer to the House on this point as early as possible. He concurred in the sentiment uttered by the hon. Member for Northampton, that the great strength of England would consist in social reform; and he likewise supported the hon. Member's opinion that the burdens of the country should be fairly imposed. He hoped that when his hon. Friend and Colleague (Sir Massey Lopes) brought forward the question of local taxation, and of the injustice inflicted upon the landed interest and the tenant-farmers, the House would find the hon. Member for Northampton supporting his hon. Friend not only by the ability of his speech, but by his efficient assistance in Committee.

MR. RATHBONE said, he concurred with the hon. Gentleman the Member for West Essex (Sir Henry Selwin-Ibbetson) in the hope that the Government would bring forward some clear and definite measure respecting the Licensing question. There was no question which so strongly excited the attention of all classes in this country, and particularly of the working classes. Many had pledged themselves to a measure of this nature, and if it were not brought forward he felt they would have broken their pledges.

MR. BRUCE said, he did not know that any stronger pledge upon the subject could be given than that which was given in the announcement in the Speech from the Throne. It was well known that the Licensing Bill was one of the measures which could not be carried in the preceding Session on account of the want of time. The reputation of the Government was dear to them, and the mention of the subject for a second time in the Queen's Speech seemed to him a sufficient guarantee that it was the intention of the Government to deal with the subject. For his own part, he believed that no measure, not even the most important of those passed during the preceding Session, excited deeper interest among the people of this country than any that might be considered for the suppression of drunkenness. The working classes felt that it was a question which affected themselves as a particular portion of the community, on account of the special temptations to which they were, perhaps, more immediately subjected than was any other class. At the same time, the Government must be allowed to choose the period of the Session when, in their judgment, measures should be brought forward. He was not aware of any advantage that could accrue from fixing an early day for the consideration of so important a question; and he thought it was to put a somewhat hard and harsh interpretation upon the declared intention of the Government for hon. Members to demand at so early a period of the Session that a day should at once be named by the Government when they intended to bring forward any particular measure. No hon. Member would question the importance of the Education Bill, yet that measure was not brought forward until a later period of last Session. There were several other important measures to be brought forward, in regard to which a strong feeling prevailed among a large class of the population. One of these was the Regulation of Mines Bill, on which depended the improvement of the present condition of that important industry, the pursuit of which imperilled so many lives. He had received a communication on this question from the noble Lord the Member for Haddingtonshire (Lord Elcho), to whom he now repeated the assurance he had already given to the noble Lord in private, that the Government would exert every effort in order to carry that measure through at the earliest possible period consistent with just claims from other quarters. Having said so much he must now notice a statement made elsewhere by the hon. Member for the Isle of Wight (Mr. Baillie Cochrane), who had imputed to him (Mr. Bruce) language he had never used, inasmuch as the hon. Gentleman represented that, while addressing his constituency, he exulted over the misfortunes of France. He (Mr. Bruce) now assured the House that nothing could be further from his mind than the expression of a sentiment of exultation at the misfortunes of any country. In the middle of September last, when heated discussions took place about the necessity of increasing our armaments, the question was raised whether it was not the duty of the Government to call Parliament together to deliberate upon that particular question, and he uttered what appeared to him a very obvious and by no means original observation, that this country was under no pressing danger justifying immediate anxiety or alarm. He said there was but one country which had possessed that rare combination of naval and military power which could excite reasonable fears; that Russia, however powerful by land, was weak at sea; and, unfortunately for France, the fate of war had been so adverse to her that for some time to come no danger could be apprehended from her. In brief, the statement he made was based upon the most evident facts, and in making it, nothing was farther from his intention than to exult over the fate of a country with which he had felt our own ties were so strong and close. With respect to the challenge thrown out by the hon. Gentleman (Mr. Baillie Cochrane) that the Government should give an expression of their policy with regard to the discussions likely to arise between France and Germany relating to the question of peace, he believed that the hon. Gentleman would act more judiciously in not pressing his demand until we heard what were to be the terms of peace. It was not for the Government of this country to declare either for France or for Germany what they considered those terms should be. When those terms were declared it would be time enough to express an opinion on the question. He could conceive nothing more injurious to the interests of Great Britain than for its Government to take any step which would have even an appearance of a desire to dictate to either party what terms they should offer or what they should accept.

Mr. ASSHETON CROSS said, he was quite ready to give the Government credit for their intention to bring forward a Licensing measure; but the House must remember that the question ought properly to have been introduced last Session, and the Government must be judged, not so much by their words as by their deeds. With regard to the feeling throughout the country on this subject, there was an impression, and he thought a growing impression, that the Government had not yet made up their minds as to the principle on which the proposed measure ought to be framed. It was certainly the feeling of various deputations which waited upon the Secretary of State for the Home Department in the course of the last Session, that the Government had more than once changed their minds in regard to the principle upon which they should frame the Bill, and it would doubtless be a great disappointment to the country at large to hear that the whole of the Recess had practically been wasted, and that the period was still indefinite when the Government would be able to bring the measure before the House, he would venture to suggest that the Government might lay the Bill on the Table of the House, if not in a week or two, at least at a very early period, so that the country might at least know that a principle had at last been agreed upon, and might have an ample opportunity of discussing the principle of the measure, and making up its mind as to whether it was one it might accept.

Sir WILFRID LAWSON said, he must express his regret that a day had not been named for the introduction of the measure; but he was very far from wishing to condemn the Government without seeing the Bill it was intended to bring forward. No time should be lost by the Government in declaring the principle of the Bill, so that they might know what they were to expect. Nobody felt more dissatisfied than he last Session with reference to the conduct of Government with regard to home affairs. He regretted, for instance, that the Licensing Bill was not brought forward, and that the Ballot was shelved. But he felt he would be doing wrong not to approve the foreign policy of the Government; and he only hoped they would strictly adhere to that policy, and continue to resist the clamour of what might, without speaking disrespectfully, be called the war party in that House. It appeared to him there was never a moment in the lifetime of this generation when there was less necessity to strengthen and increase our armaments. We had always heard that our large forces were necessary because of the ambition of France. But the French were now in a position which rendered them unable to strike a blow at us for many years to come. Were we then to be in fear of the Prussians, who conquered the French? Prussia, after the late expenditure of blood and money, was in a less formidable condition than before. And what was the reason of the misery of these two countries? He maintained that it arose entirely from the "bloated armaments" which they had of late years kept on foot, and that it would have been much better for both if all the money which they had for years past expended in preparing for war had been cast into the sea. He could not help thinking that if we in this island of ours could not place ourselves in a fit state of defence on an expenditure of £25,000,000 a year, there must be something radically wrong in the system which we pursued. Formerly it was said the country would be fully protected if the Militia were formed. We got the Militia. Then it was urged that we must have Volunteers. And now that we had the Volunteers they were said to be worth nothing at all. If what Her Majesty's Government proposed to do was to secure increased efficiency with our present expenditure, the Government would have every support from Members on that (the Ministerial) side of the House; but they would find objections equally strong to the expenditure of a single penny in the increase of fresh armaments. Of course our present expenditure would not satisfy many people, any more than had the amount which we had expended upon fortifications. He had been led to make these remarks from his great anxiety to see the Government carry out those measures which they had announced for reform in our home affairs. He trusted they would go on with the measures which they had promised, and carry out the war which they had hitherto waged against pauperism, vice, and immorality, enemies in our very midst; and if they did this and pursued a course of honest and sensible home reform, they would, he believed, while finding the power of the Government consolidated, at the same time earn the gratitude of the country at large.

Mr. W. M. TORRENS said, he was sorry to hear his hon. Friend (Sir Wilfrid Lawson) charge hon. Gentlemen who were sensitive for the honour and zealous for the dignity of the country with being desirous of plunging England into war. He had heard such insinuations out-of-doors, but had always disregarded them as palpably unjust. For himself, and all whose sympathies he shared, he must repudiate and repel them as wholly undeserved. They were not there to incite to war, but to expostulate against exorbitant and oppressive terms of peace—terms which they sincerely believed it was not for the true and lasting good of the people of Germany that their Sovereign should exact. For the many years during which he had had the honour of a seat in that House, he had steadily opposed an excessive expenditure and wanton intermeddling with foreign affairs; but he was, nevertheless, as desirous as any hon. Member could be that the honour and dignity of this country should be maintained. The Queen had reminded the House that but a few days had elapsed since a most destructive and desolating war had ceased to rage, and that only a few days might possibly elapse before its ravages might recommence. These were terrible words from the gracious lips of Royalty; but not more terrible than true. On ordinary occasions the Speech from the Throne, which was but the programme of the Minister for the Session, was met by that House with political politeness. But this was the longest and most pregnant Speech which had for a long time been delivered from the Throne. Her Majesty had in that Speech expressed her desire to take counsel of her Commons and Peers—not for peace alone and not solely for settlement of home questions. Events had occurred during the last six months such as had not happened during the lifetime of the oldest Member of that House; they had witnessed a war which he could compare, as far as his limited reading went, to nothing since the times of Attila and Ghengis Khan. They had seen the fairest portion of Christendom laid waste, villages burnt, open towns bombarded, and city after city laid under ruinous requisition; the youth of the country had been decimated, old age and infancy driven to seek shelter in the open fields, the wounded left uncared for in the open amid frost and snow, and unoffending families, who had not fled in time, destroyed as they lay in their beds. To end such guilt and misery, France had said—"Take all the money we have, and go;" but the victors wanted more than money. They wanted the humiliation, abasement, and utter prostration of France. They would not say definitely what the terms were to be; but he (Mr. Torrens) and those who thought with him, felt that it was the duty of the neutral States, and of England, especially, as the chief of those States, to interplead while there was time in favour of moderate and reasonable terms, and to say aloud that, for the sake of Europe, France ought not to be thus cruelly and utterly undone. Yet the Home Secretary told the House that they had better wait before giving an opinion, and learn what terms the conqueror might think fit to impose. They had better wait till the promised Papers were on the Table in order that they might see what Ministers had done during the Recess, and to understand their reasons for what they had left undone. It was, indeed, quite true that, before making up their minds regarding the conduct of Ministers, the House could afford to wait, but France could not wait—she was in jeopardy every hour. He held in his hand a letter from a French gentleman whom he had never seen. He would not mention the name of the writer, although he had no objection to furnish it privately to any hon. Member who might desire it. The writer was, however, a distinguished man, who had held Office under more than one Administration, and was a member of the new National Assembly. Without uttering a single word or reproach against England, his correspondent, writing on the 31st of January, said—

> "If the Neutral Powers intend to show any desire to act it must be in the interval between the Armistice and the meeting of the Assembly. If the English people desire an end of the war and a cessation of William's massacres, let them press with their whole weight, that reasonable terms may be made. Prussia asks securities. The neutralization of a strip of frontier territory would meet the case. The peace of Europe would thus be guaranteed, and wars become more difficult."

What did they ask for? Sacrifice from Germany, or favour for France? Nothing of the kind. They asked for no more than moderation, reason, and justice.—

> "Justice [said Mr. Burke] is the standing policy of great and free States, and any eminent departure from it lies under the suspicion of being no policy at all."

We should be forsaking and forgetting the highest sanctions and duties of international justice if we did not do all in our power at a crisis like the present to prevent the imposition on disarmed France of extortionate and intolerable terms. The original cause of war—who was right and who was wrong—was not now the question. The question now was as to European peace. He pleaded for France, not for the sake of France herself, but for the sake of England, and for the sake of Western Europe. So far from believing, with the hon. Member for Northampton (Mr. Gilpin), that the people of this country were satisfied with the policy of isolation, which was repudiated by the right hon. Gentleman the First Minister of the Crown last evening, he felt convinced that the country at large was anxiously waiting to learn what the Government intended to do. He would ask his hon. Friend the Member for Carlisle (Sir Wilfrid Lawson) what man in his senses, were he Conservative, Radical, or Whig, would do anything to deserve the imputation of wishing to plunge his country into war, and venture to appear before a constituency with any hope of success, seeing how largely the constituencies of hon. Members were dependent for their daily bread upon the prosperity of the trade and industry which war so seriously impaired? It was for the Government to defend their own reputation, and when the time arrived the conduct of the Government would no doubt be discussed; but they had also a duty to discharge, and they should not feel that that duty had been discharged towards either the country or the Crown if they passed a colourless Address, which might be suitable enough for ordinary occasions, and did not tell Her Majesty what was the earnest and heartfelt wish of all classes in this country — that everything should be done in our power to give France a fair chance to live, as we should like ourselves to be let live. He maintained that if we did not do this we should not be doing our duty as a great nation, and we should probably have to pay dearly for it hereafter. He would wish to refer for a moment to the question of indemnity. His hon. Friend (Sir Wilfrid Lawson) had said that France had paid very dearly in blood and treasure, but so had Prussia. Yes, but Prussia intended to get back the money. It was not the blood that she intended to get back—that was like water spilt in the sand, and could not be recovered. When the House parted last autumn the war was beginning, and we had then the word of a King, which used to be a solemn thing, that the war was not against France, but against the French Emperor and the army. That war went on for three months, and during all that time he asked any hon. Gentleman to say whether a single voice was raised by anyone of weight or influence in this country asking the Government to interpose? Not one. When, at the end of that time, the Emperor, two of his armies, and his greatest fortresses were in the hands of the enemy, then a change came over the spirit of our people. From that day a deeper feeling in favour of France had become perceptible; the people thought that the war ought to be ended, and from that day they were anxious to know what ought to be done. If not after Sedan, at least after Metz it was time for the war to have ended. The doctrine he was prepared to hold was that there and then the war did end, that a new war was begun against France and her people—a war of vengeance, a war of devastation, and a war of conquest. They had heard the First Minister of the Crown last night say in cautious and measured terms that the representations made by this country and other Powers against the threatened bombardment of Paris might at least be looked back upon with peculiar satisfaction by those who had made those representations. That was a diplomatic way of saying a great deal, and he (Mr. W. M. Torrens) was delighted to think that we had the least share whatever in saving for a time that multitudinous and beautiful city from what would be the disgrace of the age. But there was an expression used by the First Minister which he hoped he might say he had misunderstood. The right hon. Gentleman seemed to convey—he fully believed without intending it—that we, by our representations, had obtained from the King of Prussia in the first instance the withdrawal of the candidature of the Prince of Hohenzollern. As a matter of history, he believed nothing was more demonstrable than that the withdrawal of the candidature by the King of Prussia never took place and we had certainly no part in obtaining it. He had been favoured with a perusal of the telegram sent by M. Benedetti to his Government on the 13th of July, giving an account of his final interview with King William—

> "I observed to His Majesty that the resignation of the Prince of Hohenzollern, approved by him, was a guarantee for the present, but it appeared necessary to insure for the future, perfect and mutual confidence, and for this purpose I hoped the King would allow me to inform you in his name that if the Prince changed his mind he would interpose to prevent it. The King absolutely refused, saying that he could not and would not make such an engagement, and that he must for this and every other eventuality preserve the liberty of consulting circumstances."

He (Mr. W. M. Torrens) had gone carefully over all the documents, and he was prepared to assert that not only was the first intimation of the withdrawal made by the French Ambassador to the King of Prussia, but that on the following day, when the King became aware that the information was correct, he sent an aide-de-camp to Count Benedetti with the spontaneous declaration that for the future he reserved his liberty of action in the event of the Prince changing his mind. If that were so, it was obvious that France was not so inexcusable as had been supposed, for it should be remembered that the candidature of the Prince was not spoken of then for the first time. The *Journal Officiel* of 30th March, 1869, contained a despatch in which the Government of Berlin, when expostulated with, had renounced their designs on the throne of Spain. Well, then, the candidature having been first tried in 1869 and disclaimed, it was revived in 1870. Baron de Thile, when called on for explanations, declared that the Cabinet of Berlin knew nothing of it, and referred the French *Chargé d'Affaires* to the King as the head of the Royal Family, whom it alone concerned; but, as head of the family, the King, when appealed to, absolutely refused to bid the Prince withdraw, or to repudiate his candidature. His retirement for the time being was compassed wholly by other means, and the Spanish Ambassador at Paris was the first to make known the fact to the Duc de Gramont. What security then had France that a design thus twice furtively planned, would not be attempted a third time? If that were so, then the advice of Her Majesty's Ministers, though sound and good, had been ineffectual. Then he would ask the House to refer to the position in which we stood when we gave that advice on the occasion when Lord Granville wrote to Lord Augustus Loftus, directing him to throw all the weight of this country into the scale to induce Prussia to withdraw. Let the House now endeavour to put itself into that position, and try to apprehend what the Queen in her Speech from the Throne told them She apprehended—namely, that a third war would break out unless wisdom and forethought were exercised betimes on the part of those concerned. What he contended for was that England was deeply concerned; because he did not believe any peace worth talking of if it were an extortionate peace as regarded money, a partitioning peace as regarded territory, or a humiliating peace as regarded honour. He was told that the extravagant sum of 10 milliards stated as an idemnity was but a fable, and that four milliards was nearer the truth. He was speaking in the presence of men capable of judging as to the rate at which even such a sum could be raised either in London, Amsterdam, or Frankfort, and he asked what would be the amount of the interest on that sum which would assuredly be for many years an impayable debt? And what was an impayable debt when due to a foreign conqueror but a tribute imposed by one nation on another? The power to impose such a tribute was the very definition of conquest. We could not tell what the conqueror might ask; but he hoped that the House would press upon the Government its earnest desire that on behalf of the peace of Europe and the weal of England they should make such representations as would show in a legitimate way that they were opposed to extortion. Mr. Grattan, speaking of another conqueror, said—

> "Ambition is omnivorous; it feeds on famine, and sheds seas of blood: ready to risk being starved in ice if it can steal empire from desolation."

France had been made desolate, and Germany had been made an empire. The past was irrevocable; but the present and the future were still in our hands. The spectacle now exhibited in France was an ominous lesson to Europe and to the rest of the world; and if we in our power, who were said to be the freest, richest, and greatest country on earth, showed any hesitation in taking a bold and manly course, the nations of Western Europe would view their position with despair—they would feel that they might be dealt with in our time as Macedon dealt with the smaller states of Greece, as Poland in the last century, as Denmark in our own day had been dealt with, because we had not the wit, the wisdom, and the worth to do unto others as we would that others should do unto us.

Mr. RYLANDS said, that the appeal of the hon. Member who had just spoken to hon. Gentlemen opposite meant, if it meant anything, that the Government should intervene in such a way as to make our power and influence felt in the determination of the terms of peace. The hon. Gentleman had said that England's power ought to be brought to bear. ["Hear, hear!"] What did that mean, and what did hon. Gentlemen opposite mean by those cheers? Were they prepared to say to Prussia—"If you do not come to such and such terms with France we will declare war against you?" The hon. Gentleman who had just spoken had a sort of hazy idea that we might go to a certain extent and bring a sort of unknown power to bear upon Prussia and France, and that without exerting any physical strength, but merely by the shadow of something behind, we might induce Prussia, conquering and victorious, to submit her judgment to ours. He did not for one moment suppose that she would do so, or that any hon. Member would propose to back up the view of Her Majesty's Government as to the proper terms of peace by an appeal to physical force. The view put forward by the hon. Gentleman, that we ought to constitute ourselves the arbiters of Europe and the protectors of all the other Western Powers, could only be enforced if we had a Government possessing the quality of omniscience, backed up by omnipotence. Now, the fact was that upon the part of our own Government there was no omniscience. He had a very high opinion of the ability and knowledge of the Members of Her Majesty's Government; but he did not attribute either to them, or to any Government which might be formed by the right hon. Member for Buckinghamshire (Mr. Disraeli) the possession of omniscience. The history of this country showed that, with the best intentions, gross mistakes had been made by the Government of England in dealing with foreign countries, and that they had calculated upon eventualities which never happened. A system, no doubt, was kept up which was supposed to give us some means of anticipating future events, but experience proved that in this we were continually disappointed. Why, last autumn something like a panic showed itself in the House, and every hon. Member was considering what would follow when the Emperor Napoleon had crushed Prussia and got to Berlin, as it was then believed he might easily do. The Government, even, fell in with that view to some extent, and, yielding to pressure, adopted measures in preparation for an emergency that had never arisen. Something had been said about our military power, and it was implied that if we could once raise a sufficient force there might be some chance of our carrying out a dignified and spirited policy. But was it imagined, after the experience of this war, that we could hope to compete with the great military monarchies of the Continent? Why, the thing was perfectly preposterous. At one time there was a talk of our sending 20,000 men to Antwerp, and £2,000,000 of money were voted in anticipation. But what could 20,000 men have done? Why, in the great battles which had been fought, the belligerents were able to bring something like 1,000,000 men into the field. The true dignity and honour of the country were in no degree affected by our not having interfered in this unfortunate quarrel. They were far better supported by the sympathy and liberality shown towards the suffering people of Paris. He had no wish to isolate this country from considerations affecting the welfare of others, but he certainly wished to withdraw her from interference which proved in no degree advantageous to national interests. After all the blood and treasure which had been spent, could we point to a single treaty or engagement of the slightest value to the people of this country? A vast debt had been contracted in carrying out a spirited policy, and no benefit whatever had been obtained. This ought to be a great warning to Gentlemen upon both sides of this House. For his own part, he should support the course which had been taken by Her Majesty's Government, and he had no doubt their influence would be exerted at the proper time in favour of moderate terms of peace, which in the end would prove most lasting.

Address *agreed to*:—To be presented by Privy Councillors.

PRINCESS LOUISE.

MESSAGE FROM THE QUEEN.

Message from Her Majesty *brought up*, and read by Mr. Speaker (all the Members being uncovered), as follows:—

VICTORIA R.

Her Majesty relies upon the cordial interest which Her faithful Commons have expressed in the approaching marriage between the Princess Louise and the Marquis of Lorne.

The numerous proofs which the Queen has received of their loyalty to Her Throne, and of their attachment to Her person and Family, lead Her to hope that they will make such a provision for the Princess Louise, with a view to the proposed marriage, as may be suitable to the dignity of the Crown.

V. R.

Committee thereupon upon *Monday* next.

UNIVERSITY TESTS BILL.

RESOLUTION. FIRST READING.

Acts read; *considered* in Committee.

MR. GLADSTONE, in moving that the Chairman be directed to move the House, that leave be given to bring in a Bill to alter the Law respecting Religious Tests in the Universities of Oxford, Cambridge, and Durham, and in the Halls and Colleges of those Universities, said: Sir, the Motion which I have to make will entail the necessity of only a very short explanation, as the House, I think, will feel that the question to which my Motion refers has now reached a stage at which it is not necessary upon the introduction of the Bill that there should be any prolonged debate upon the merits of the question. Had it been necessary, in the judgment of the Government, that arguments should be advanced at this stage in favour of the proposals I am about to make, those arguments would have been used by my hon. and learned Friend the Solicitor General. I should not have thought fit to attempt to displace one who with so much prudence and so much knowledge has, during successive years, recommended this subject to the attention of the House. It has fallen into my hands on account of the maturity at which the subject has arrived, and the position it has assumed as a question between the two Houses of Parliament, to propose the introduction of this Bill, and the few words I am about to state will have reference to that peculiar position of the question, and not the merits of the original proposition. Last night my hon. Friend who seconded the Address (Mr. Morley) made an appeal to Gentlemen opposite, urging them to combine with us in the settlement of this controversy. I felt the weight of that appeal, and I would wish to be understood as adopting and echoing his words, and, moreover, I feel within myself a strong conviction that the force of such an appeal will be felt by many who sit on the other side of the House who have hitherto taken a prominent part in opposing this Bill. And here I found myself upon a recollection of the manner in which the Bill was treated during the discussion last year. I am not seeking to take any unfair advantage; I am as far as possible from endeavouring to convey any imputation; but I think that many hon. Gentlemen sitting opposite, and several of those connected with the representation of the Universities, who have hitherto taken a prominent duty and responsibility in opposition to this measure, will not conceive that I misunderstand or misrepresent either their conduct or their language if I say that the general tone and effect of their speeches was to convey on their part the impression that although they did not compromise their opinions nor surrender in any point of right the ground that they had occupied, they did feel that the controversy had reached a point at which it would be for the interest of all parties that it should be brought to a settlement. The Bill that I propose to introduce after the preface that I have made, the House will readily perceive is the exact and identical Bill of last year. I believe it will have undergone no change whatever, and had it been the view of the Government that they were in a condition to introduce important changes, or to be responsible for important changes if they were introduced, I should not have been justified in using the language I have employed. I have treated the controversy as one the discussion of which has been entirely exhausted, and into which I defy any ingenuity to import novelty of any kind. The controversy is a controversy upon which the judgment of this House and the country has been so often and so decisively pronounced that all that remains is its settlement. In the course of the Recess a desire, and I do not say an unnatural desire, has been made known to the Government from several quarters that the provisions of the Bill should be altered —[*Cheers*]—in consequence of the rejection of the Bill of last year by the House of Lords. Well, I wish to call the attention of my hon. Friends who cheer me, for a few moments, to that subject, and to state the ground taken by the Government, and the position in which they find themselves now in the face of the House of Lords. The desire entertained by many persons out-of-doors is that into this Bill should be introduced an absolute repeal of all restrictions contained in College statutes which make the acquisition of Holy Orders a condition under any circumstances of holding a Headship or Fellowship. Well, no man, I think, can hear those words without at once admitting, whether he approves or disapproves such a proposal —and that is not the question now—that the introduction of such a proposal into the present Bill would be a great extension and a great alteration of the provisions of the Bill. The effect of that would be that we should not be winding up an old controversy, but we should be beginning a new one. So far as I am able to anticipate what would probably happen, I apprehend that it would be necessary for us to listen to appeals from hon. Gentlemen who represent the Universities, and many others in this House pointing out the novelty and broad sweep of the proposition—that it was now for the first time under the consideration of the House, and demanding that days should be appointed for the discussion of various and complicated matters involved in the measure, and giving a totally distinct character to the discussion to that which I anticipate respecting this Bill. I do not enter into the merits of the case, for that is quite unnecessary. I will not enter into the consideration how the Government is to find time amidst the pressure of the multitude of important subjects which are pressed upon us from every quarter of the House. The point which has been conclusive with the Government, and which binds them, is that which arises in connection with the position of this question as between ourselves and the House of Lords, and it is that point on which alone I shall dwell. Now, had this Bill been in the hands of what are called independent Members of Parliament, it would have been perfectly free to them to take any course they pleased in altering it from year to year. They might have said—"The House of Lords having rejected the Bill, we shall propose another measure of a much more drastic character." That course would be quite within the discretion and competency of a private Member of this House, but it is not within the discretion, rightly understood, of the Executive Government. When the Executive Government makes itself responsible for a measure, and has attached to it its credit and influence, when they have obtained the assent of this House to it, one thing follows as an immediate and obvious consequence — namely, that they are bound to give the House of Lords a fair, full, and free opportunity for discussion and deliberate judgment before assuming that the House of Lords is decisively opposed to that measure, and before reconsidering their course in consequence. Now, the question that we ask ourselves is this—whether it would be fair on our part as the Government of the Queen, whether it would be consistent with that respect which we owe to the other branch of the Legislature, that we should treat the vote of the House of Lords in the month of July last as being a decisive vote upon the merits of the question? We do not think that we can so treat it. We think it right and just to the House of Lords, we think it right according to the rules which regulate the well-working of our legislative system, that we should again at the earliest period in the present Session present to the House of Lords this measure for consideration. We entertain the sanguine hope that hon. Gentlemen opposite will favour the passing of the Bill through this House. But whether that be so or not, whether we are right or not in anticipating the early settlement of the controversy, we feel it to be our duty to that branch of the Legislature to give it the opportunity of a full, careful, and deliberate discussion of the merits of the Bill. I do not think it would be fair in us to treat the vote of last year, much as we objected to it, and much as we resented it, as a decisive vote. In the first place, it was the first time that the Bill had been before the House of Lords in the shape that it then bore. The Bill was sent to that House in the month of July, and it was on the 14th of July that the second reading was held. Upon the House of Lords, in the course of last Session, we made great demands, and from the House of Lords, I do not hesitate to say, we obtained last year large and liberal concessions. When these liberal concessions have been obtained by a Government backed by the authority of the House of Commons, that Government ought to show some sense of that conduct and some reciprocation of that temper. We should, therefore, be unwilling to proceed in a harsh or ungenerous manner in regard to the controversy of this Bill, and we think we shall not be discharging our duty with respect to the House of Lords, as well with respect to the general interests of the question, unless we can send this Bill to the House of Lords at a time when they can receive it, before it comes to them in a crowd with greater measures of such vital importance as the Education and the Irish Land Bills of last year. I have not said a word upon the merits of the case, but I have endeavoured to put prominently in the view of the House that consideration which I think is quite decisive in regard to the conduct of the Government. We have found it to be our duty to make one more appeal to the House of Lords upon this subject under the favourable circumstances that are now before us. We also feel justified in making an appeal to those who have hitherto opposed this measure on the opposite side of the House, and in asking them to assist us to pass it forward without entailing upon it those difficulties which attend the discussion of great questions. It is right, Sir, that I should state I have had communication with many leading, influential persons among those who are desirous that this measure should be further extended, so as to dispense with Holy Orders in the case of all holders of Fellowships and Headships, and that they should be free of all restriction whatever. I have frankly stated to them the position of the Government and the obligation they feel themselves under with reference to the House of Lords, and I have intimated to them that in the view they take of their duty it will not be possible to accede to their wish. I have also learnt from them, so far as the feeling could be collected, after that declaration made frankly on the part of the Government, that they were still anxiously desirous we should prosecute this Bill in its present shape, with the explanation I have now made. I am, therefore, acting in fulfilment of the willingness I expressed to them; and I hope Gentlemen opposite will not think me too obtrusive if I state that it is our intention to go forward with this Bill with all despatch in the prosecution of all its stages, because we think it fair to those who desire the extension of the measure that it should be presented to the House of Lords at so early a period of the Session that, in the event of its failing to become law, they may not be prejudiced in their views, but have ample opportunity during the Session of raising the question after the feeling of the House of Lords shall have been expressed on this Bill; and I do hope that some influence even from the other side of the House may favour the passing of the Bill. With these explanations, I beg to move that you, Sir, do now leave the Chair, in order that the Motion may be made for the introduction of the Bill.

MR. GATHORNE HARDY: Sir, I shall certainly follow the example which has been set by the right hon. Gentleman, and entirely abstain from making any comment on the question itself or the principles involved in it. I cannot but say that I think the course taken by the right hon. Gentleman in bringing forward this Bill at an early period is not at all in discord with the view taken by the House of Lords last year. I agree that the House of Lords expressed no objection to the reception of the Bill, but, on the contrary, showed rather a disposition to give it that full consideration which it had never, on any previous occasion, received. Indeed, as the right hon. Gentleman stated, it had never before reached the House of Lords in the shape it did last year, and the desire was that the Committee should take such steps, by receiving evidence and information on the subject, as should tend to preserve religious instruction in the University; and that, I presume, would still be the object of the Committee if re-appointed. With respect to the course we should take on the subject, I quite agree that so far as this House is concerned the majority against us is overwhelming, and, therefore, though it will be my duty to protest against the measure, I should only wish that time may be given us for consultation as to what steps should be taken at some particular stage; but no opposition will be offered to proceeding with the Bill with such speed as may be considered becoming, with a view to the objects and intentions of the Government as explained by the right hon. Gentleman. I have been opposed to the measure in principle, I remain of the same opinion still, and I may consider it necessary to divide on the question again on the second reading; but I will offer no opposition to the measure by interposing delay. I hope it will receive due consideration from the House of Lords and from the Committee, to which I have no doubt it will be referred.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to alter the Law respecting Religious Tests in the Universities of Oxford, Cambridge, and Durham, and in the Halls and Colleges of those Universities.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. DODSON, Mr. GLADSTONE, Mr. SOLICITOR GENERAL, and Mr. GOSCHEN.

Bill *presented,* and read the first time. [Bill 6.]

CITATION AMENDMENT (SCOTLAND) BILL.

On Motion of Mr. ANDERSON, Bill to amend the process of Citation in Scotland, *ordered* to be brought in by Mr. ANDERSON, Mr. GORDON, Mr. MILLER, and Mr. ARMITSTEAD.

Bill *presented,* and read the first time. [Bill 1.]

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL.

On Motion of Mr. THOMAS CHAMBERS, Bill to render legal Marriage with a Deceased Wife's Sister, *ordered* to be brought in by Mr. THOMAS CHAMBERS and Mr. MORLEY.

Bill *presented,* and read the first time. [Bill 2.]

MERCHANT SHIPPING SURVEY BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the compulsory Survey of certain Merchant Ships, and for the adoption of a maximum load line.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. PLIMSOLL, Mr. WHEELHOUSE, and Mr. LAMBERT.

Bill *presented,* and read the first time. [Bill 3.]

GAME LAWS (SCOTLAND) AMENDMENT BILL.

On Motion of Mr. LOCH, Bill to amend the Game Laws in Scotland, *ordered* to be brought in by Mr. LOCH, Sir ROBERT ANSTRUTHER, and Mr. PARKER.

Bill *presented,* and read the first time. [Bill 4.]

BURIALS BILL.

Acts read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Burial Laws.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. OSBORNE MORGAN, Mr. HADFIELD, and Mr. M'ARTHUR.

Bill *presented,* and read the first time. [Bill 7.]

RAILWAY COMPANIES BILL.

On Motion of Sir HENRY SELWIN-IBBETSON, Bill to amend the Law for Railway Management, to change the mode of trial of cases for compensation for Accidents, and to define the liability of Railway Companies, *ordered* to be brought in by Sir HENRY SELWIN-IBBETSON, Mr. HINDE PALMER, and Mr. ROWLAND WINN.

Bill *presented,* and read the first time. [Bill 5.]

SUNDAY TRADING BILL.

On Motion of Mr. THOMAS HUGHES, Bill to amend the Law relating to Sunday Trading, *ordered* to be brought in by Mr. THOMAS HUGHES, Mr. JOHN GILBERT TALBOT, Mr. THOMAS CHAMBERS, and Mr. M'ARTHUR.

Bill *presented,* and read the first time. [Bill 8.]

HYPOTHEC ABOLITION (SCOTLAND) BILL.

On Motion of Mr. CARNEGIE, Bill to abolish the Landlord's right to Hypothec in Scotland, *ordered* to be brought in by Mr. CARNEGIE, Mr. FORDYCE, and Mr. CRAUFURD.

Bill *presented,* and read the first time. [Bill 9.]

PAROCHIAL COUNCILS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the establishment of Parochial Councils in parishes in England and Wales.

Resolution *reported:* — Bill *ordered* to be brought in by Viscount SANDON and Mr. COWPER-TEMPLE.

Bill *presented,* and read the first time. [Bill 10.]

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS).

Standing Committee *nominated,* "to control the arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant at Arms attending this House:"—Colonel FRENCH, Mr. HENRY EDWARDS, Mr. DALGLISH, Mr. ONSLOW, Mr. ADAM, Mr. FITZWILLIAM DICK, Mr. Alderman LAWRENCE, Mr. GOLDNEY, and Captain VIVIAN:—Three to be the quorum.

House adjourned at a quarter after Seven o'clock, till Monday next.

HOUSE OF LORDS,

Monday, 13*th February,* 1871.

MINUTES.]—PUBLIC BILL—*First Reading*—Benefices Resignation* (7).

QUEEN'S SPEECH.—HER MAJESTY'S ANSWER TO THE ADDRESS.

THE LORD STEWARD (the Earl of BESSBOROUGH) *reported* Her Majesty's Answer to the Address, as follows:—

MY LORDS,

I THANK you for your loyal Address, and for the expression of your good wishes upon the approaching marriage of My daughter.

I do not doubt that the measures which will be submitted to you will receive your attentive consideration, and you may rely with confidence on My cordial co-operation in every effort to promote the welfare and the security of My people.

ROLL OF THE LORDS.

The Lord Chancellor acquainted the House, That the Clerk of the Parliaments had prepared and laid it on the Table: The same was ordered to be *printed.* (No. 6.)

HER ROYAL HIGHNESS THE PRINCESS LOUISE.

THE QUEEN'S MESSAGE.

Her Majesty's most gracious Message of Friday last *considered* (according to order).

EARL GRANVILLE: My Lords—In pursuance of the Notice which I gave at the last sitting of the House, I beg to move that a humble Address be presented to Her Majesty, thanking Her Majesty for her most gracious Message with regard to making provision for Her Royal Highness the Princess Louise, with a view to her intended marriage with the Marquess of Lorne; and assuring Her Majesty that this House will cheerfully concur in such measures as shall be necessary to give effect to the object of Her Majesty's most gracious Message in such a manner as shall demonstrate their affection and attachment to Her Majesty, their just sense of the virtues of Her Royal Highness, and a due regard to the dignity of the Royal Family. It happens, my Lords, that I have had the honour, on three previous occasions, of moving a similar Address with regard to the marriage of daughters of our most gracious Sovereign, and of receiving the unanimous approbation of the House in so doing. Upon the occasions of those Motions expressions were used on both sides of the House which showed a sense of the dignity of the Royal Family, and a warm interest in anything calculated to increase their domestic happiness. My Lords—The anticipations which were indulged in on those occasions have been abundantly fulfilled; and this, I cannot help thinking, has been very much owing to the wise rule laid down by the Queen and the late Prince Consort with regard to the marriage of their children. They would give no sanction to the marriage of their children without direct consultation of their personal feelings and affection. I am sure that your Lordships, in agreeing, as I am confident you will, to this Motion, will feel the same confidence which you expressed on former occasions, that the approaching marriage will increase the domestic felicity of the Royal Family.

THE DUKE OF RICHMOND: My Lords—I am glad that it will not be necessary for me, on the present occasion, to occupy as much of your Lordships' time as on a former evening, for with regard to the Motion now before the House the noble Earl opposite and myself are perfectly agreed. I feel sure that your Lordships will cordially agree to the Motion made by my noble Friend, and will cheerfully concur in making such a provision for the Princess Louise as the House of Commons may think fit and suitable to the dignity of the Crown. We have taken that course, as my noble Friend rightly says, on three former occasions, and I see nothing that should lead us on this occasion to depart from it. It is almost superfluous to say that everything connected with the happiness of the Royal Family must find a hearty response in the breasts of the whole people. I feel sure that your Lordships rejoice at having again an opportunity of re-asserting the loyalty and affection which you feel with me for Her Majesty and her family.

LORD ORANMORE AND BROWNE thought that all their Lordships would feel that in considering a Royal Message of this nature their reply should not be merely formal, but should evidence the devotion they felt for all that touched their Sovereign—their attachment to her person, and their loyalty to her Crown. Their Lordships would say this had been ably, fully, and eloquently expressed by the noble Earl at the head of the Foreign Office, and by the noble Duke the Leader of the other side. There could be no doubt that he himself (Lord Oranmore and Browne) did not possess the capability of expressing the feeling with half the force which those noble Lords possessed, and, of course, little weight could be attached to what might fall from so humble a Member of their Lordships' House. It should, however, be considered that those noble Lords, who had doubtless expressed what they felt, and what the House all felt, for Her gracious Majesty, even had they thought or felt otherwise, would have said the same; while their position prevented them from giving Her Majesty the benefit of hearing a plain truth, which he believed it was the duty of Parliament to convey to her—for majesty was so hedged round with ceremony that perchance truths patent to all never reached the Royal ears. He thought, therefore, that on an occasion of this kind leave and licence might be given to independent Members like himself to express their opinions; and in doing so he thought he should couple his remarks with certain statements which he trusted would be acceptable, and which his noble Friends, from their position, could not well make. Her most gracious Majesty had now reigned over a happy and contented people above 32 years, and it was but a truism to say the wisdom she had shown as a Queen had only been excelled by the admirable example which, as a mother and woman, she had shown to every woman in her broad dominions. It was appreciation of so much excellence which called forth such a heartfelt outburst of sympathy from all her subjects at the time of her great bereavement. Her subjects felt the loss was their own, from a conviction of how wise a counsellor the lamented Prince Consort had been to Her Majesty. For a considerable time afterwards the people of this country sympathized with the retirement of Her Majesty from public life: the greater, however, our veneration and affection for anyone, the more did we feel a separation from them. It seemed as if a rumour of this had reached the ears of Her most gracious Majesty, and that she then published that delightful "*Journal*" of her life. Many thought that even the evidence of a life so pure, and kind, and good, should not be exposed to public view, and that it was making so high a position too common; but experience had shown that the Queen was wiser than those who thus thought. She trusted her subjects, and she virtually said to them—"This is the life I have lost; would not your life be blank and cold after such a loss? This is why I have not been among you as usual." The people appreciated the confidence which Her Majesty had placed in them. They felt with her and for her, and longed only the more eagerly again to enjoy the privilege and pleasure of seeing her among them. It was wrong to conceal from Her Majesty that the feeling of disappointment was great that she had not condescended to be seen more by her loyal and loving subjects. It was vain to conceal from ourselves that these were no ordinary times. Many things were now called in question which had long been suffered to remain at rest. There was nothing sacred or human that was not weighed in the balance: men's minds were distorted on religious, social, and political subjects: everything was called into question. The existence of a God, the belief in Christianity, the duties of subjects to their Sovereign, the duties of children to their parents, of husbands to their wives, the relative position of women to men,—nothing was now accepted as an axiom. To preserve, therefore, what was most worth preserving in this country—to preserve those institutions under which we lived, the foundation of which was the devotion and loyalty which all classes in this country felt towards Her Majesty, it was necessary that she should be seen more by her loving people, and many would say that it was audacious of so humble a Member of their Lordships' House to venture to tender advice to the Throne; but he thought he was but performing his duty when he said that it would give great delight to her subjects, and would greatly add to their personal attachment to her, if she would come out more among her subjects. He said so with the most sincere respect and devotion, because he felt that duty obliged him, and Her Majesty had always shown so much wisdom, and such a determination to fulfil every duty of her exalted station, that she would not despise the counsel because it came from a humble source, nor regard the performance of a public duty, by a faithful subject, as an intrusion on her high position. If, moreover, he did not truthfully convey public opinion, he was in the presence of the ablest statesmen, as well as the most polished courtiers, in the realm, who would be able to refute what he had felt it his duty to utter.

Then an humble Address of thanks and concurrence ordered *nemine dissentiente* to be presented to Her Majesty thereupon: The said Address to be presented to Her Majesty by the Lords with White Staves.

UNIVERSITIES OF OXFORD, CAMBRIDGE, AND DURHAM.

MOTION FOR A SELECT COMMITTEE.

THE MARQUESS OF SALISBURY said, that, in accordance with the Notice he had given, he rose to move the re-appointment of the Select Committee, which had sat last Session, on the subject of University Tests. The taking of the evidence did not proceed so rapidly towards the end of last Session as he had hoped it would have done; but from the number of witnesses who remained to be examined, he had very little doubt that the Committee would be able to close the evidence before Easter. If this were so, there was no reason why the deliberations of the Committee might not be embodied in a Report in time to assist their Lordships in considering the details of the University Tests Bill—a measure which, he believed, had already been introduced into the other House of Parliament. He had received no notice of any intention to oppose the adoption of this Motion; and if he were right in supposing that there would be no opposition, he thought it unnecessary now to make any further observations. He would therefore at once move for the appointment of the Committee.

Moved, "That a Select Committee be appointed to inquire into the best mode of providing proper safeguards for the maintenance of religious instruction and worship and for the religious character of the education given in the said Universities and the Colleges and Halls thereof in any measure for enabling persons not now eligible to hold offices therein."—(*The Marquess of Salisbury.*)

Earl GRANVILLE said, that while guarding himself against the supposition that he had at all changed his opinion as to the advantage of the appointment of the Committee, or as to its practical results, he did not think it would be respectful to the House, after its decided manifestation of opinion last Session, to oppose the Motion. He was bound also to add that the early day chosen by the noble Marquess for moving the appointment of the Committee and his assurance that its deliberations would be brought to an end in ample time to enable the House to consider the Bill introduced in "another place" were satisfactory.

Motion *agreed to.*

And, on Tuesday, February 14, the Lords following were named of the Committee:—

Abp. York
Ld. President
D. Somerset
D. Marlborough
M. Salisbury
E. Cowper
E. Stanhope
E. Carnarvon
E. Powis
E. Harrowby
E. Morley
E. Beauchamp
E. Kimberley
Bp. Gloucester and Bristol
L. Colchester
L. Rosebery
L. Stanley of Alderley
L. Lyveden
L. Houghton
L. Hartismere

The Marquess of Salisbury

BENEFICES RESIGNATION BILL.

BILL PRESENTED. FIRST READING.

The Bishop of WINCHESTER *presented* a Bill to enable clergymen disabled by illness to resign their benefices with provisions of pensions. He proposed to fix the second reading of the Bill for Thursday next.

The Duke of RICHMOND said, that as objections had been entertained to the measure last Session by many Peers, he thought a longer time should be allowed before the next stage.

The Bishop of WINCHESTER observed that the Bill was passed by a large majority last Session, and the clauses to which the main objections were taken—those which did not limit resignation to cases of age and infirmity—had been omitted. Many of the right rev. Prelates and himself were about to start on confirmation tours, so that delay really meant postponing the Bill until after Easter.

Lord CAIRNS said, that this measure related to matters far more important than the personal convenience of any of their Lordships. It was quite true that the Bill passed that House last Session; but it passed at a very late period, when the attendance of Peers was rather small; and it was by no means certain that the same result would have been arrived at if the Bill had been brought forward at an earlier period. The Bill would, probably, not be in the hands of their Lordships until Thursday morning, and if it were to be read a second time on that evening, their Lordships would have had a very slight opportunity of considering it, and the country no opportunity at all. He did not recollect the objections to which the right rev. Prelate referred; but he did recollect that he himself entertained objections which went to the very root of the matter.

Lord ROMILLY hoped the second reading of the Bill would not be pressed. There was a clear advantage in not hurrying on a measure of this nature where there was no especial reason for so doing. He thought their Lordships should have a week for consideration after the Bill had been placed in their hands.

The Bishop of WINCHESTER then consented to fix the second reading for Monday next.

Bill read 1ª; to be *printed;* and to be read 2ª on *Monday* next. (No. 7.)

CHAIRMAN OF COMMITTEES.

Order of Friday last, read: Then it was ordered that the Viscount Eversley do also take the chair in all Committees upon Private Bills and other matters in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by this House.

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Monday, 13*th February*, 1871.

MINUTES.]—New Writ Issued—*For* Norwich, *v.* Jacob Henry Tillett, esquire, void Election.

Select Committee—Business of the House, *appointed;* Vaccination Act (1867), *appointed;* Printing, *appointed* and *nominated.*

Public Bills — *Resolutions in Committee — Ordered—First Reading*—Merchant Shipping [15]; Permissive Prohibitory Liquor * [11].

Ordered — First Reading — Mines Regulation [16]; Education (Scotland) [17]; Women's Disabilities * [13]; Education of the Blind, Deaf, and Dumb * [14]; Coroners * [20]; Provisional Order Bills (Committees) * [12]; Union Rating (Ireland) [18]; Registration of Voters (No. 2) * [22]; Game Laws (Scotland) Amendment (No. 2) * [21]; Registration of Parliamentary Voters * [19].

COMPENSATION FOR RAILWAY ACCIDENTS.—QUESTION.

Mr. HEADLAM asked the President of the Board of Trade, Whether it is the intention of Her Majesty's Government to introduce a Bill during this Session to carry into effect the recommendations of the Select Committee of last Session on the subject of Compensation for Railway Accidents?

Mr. CHICHESTER FORTESCUE, in reply, said, he was not prepared to introduce any measure such as that indicated; but he was considering the subject of inquiries into railway accidents, both official and judicial. He, however, should wish to see the Bill of which the hon. Member for West Essex (Sir Henry Selwin-Ibbetson) had given Notice before he came to a final conclusion what course he should pursue in respect to the subject.

SANITARY COMMISSION—LOCAL GOVERNMENT.—QUESTION.

Sir CHARLES ADDERLEY asked the Secretary of State for the Home Department, Whether he intends to introduce this Session a Bill for consolidating in one all the Sanitary Acts, and giving better means of Local Government to every place in England and Wales outside the Metropolis, under a Central Department, as recommended, and to a great extent prepared, in the Report of the Royal Sanitary Commission?

Mr. BRUCE, before answering the Question, said, he was anxious, on the part of the Government, to thank the right hon. Baronet and the other Royal Commissioners, for the great care and labour they had bestowed on this important inquiry, and the special pains they had taken to facilitate legislation in respect to it by the careful analysis they had made of the complicated laws on the subject. Through the right hon. Baronet's courtesy he received a draft of the Report before it was presented to Parliament; but at a late period of the Recess, when every Department was busily occupied in making arrangements for the approaching Session. The several Departments, however, connected with the administration of the sanitary laws were giving their close attention to the subject, and if the right hon. Gentleman would wait for about three weeks he would find that the labours of the Royal Commission had not been in vain.

THE ADMIRALTY—SIR SPENCER ROBINSON.—QUESTION.

Mr. KINNAIRD asked the First Lord of the Treasury, Whether any reply has been made by Sir Spencer Robinson to the Minute by the First Lord of the Admiralty, published by order of the Lords Commissioners of the Admiralty, and whether there will be any objection to lay the reply upon the Table of the House?

Mr. GLADSTONE: A Minute or Paper has been drawn up by Sir Spencer Robinson in reply to a Minute of my right hon. Friend the First Lord of the Admiralty, and if on Friday next my hon. Friend behind me would like to move for the Paper it will be granted, as far as the Government is concerned, as an unopposed Return. But in acceding to that Motion, I do not wish to be committed with regard to the course which it might be right to take in a case which externally resembles this, but which is substantially very different from it—I mean where a member of the Board might differ in opinion, and might draw up a paper expressing that difference of opinion, from the Chief of the Board. Sir Spencer Robinson having ceased to be a member of the Board of Admiralty, that difficulty does not really arise; and, although that Paper was written while he was a member of the Board, still, he being no longer a member, it is quite right to produce it.

Sir JAMES ELPHINSTONE asked what was the date of the Paper.

Mr. GLADSTONE: I do not remember the exact date; but it is a recent Paper.

Lord HENRY LENNOX, who had given Notice of his intention to ask the Secretary to the Admiralty, Whether Vice-Admiral Sir Spencer Robinson has resigned the appointments of Third Lord of the Admiralty and Controller of the Navy; and, if so, what circumstances led to his resignation? said, that the appearance of the new patent of the Board of Admiralty on Friday night required him to alter the form of his Notice. He, therefore, asked what were the reasons which led to the withdrawal of Sir Spencer Robinson from the offices of Third Lord of the Admiralty and the Controller of the Navy, when his withdrawal was so prejudicial to the service of the country?

Mr. GLADSTONE: I rise to answer the noble Lord's Question, and in doing so I shall carefully avoid giving an opinion on a point in respect to which it appears to me that he was not quite so cautious as is desirable. The fact is that Sir Spencer Robinson has not resigned the offices of Third Lord of the Admiralty and Controller of the Navy. The term of his appointment to the office of Controller of the Navy has expired, and in the office of Third Lord of the Admiralty he is superseded. It would be entirely superfluous to enter at the present time into the matter further than to say that the Government has not come to the conclusion that such a change was necessary without much reflection and consideration. I do not know whether the noble Lord puts the latter part of the Question of which he gave Notice as to the production of letters that have passed between Sir Spencer Robinson and myself; but, if so, I could not agree to produce them, as the proceeding would be unprecedented.

Lord HENRY LENNOX said, he had omitted the latter part of his Notice because he had been informed that the letters referred to were of a private and confidential character.

DOMINION OF CANADA—BRITISH COLUMBIA.—QUESTION.

Viscount SANDON asked the Under Secretary of State for the Colonies, Whether the arrangements are completed for the union of the Colony of British Columbia with the Dominion of Canada; whether any negotiations have taken place respecting the Railway for connecting that Colony with Canada; and, how soon he will be able to lay upon the Table of the House Papers upon this subject?

Mr. KNATCHBULL-HUGESSEN, in reply, said, these negotiations were carried on between the Dominion of Canada and the Colony of British Columbia, and the only manner in which the Home Government had interfered in the matter was by expressing its cordial approval of the proposed Federation. No doubt the construction of a railway between this Colony and Canada formed an integral part of the arrangements contemplated, and according to present information, the wise, liberal and patriotic spirit evinced in both the Dominion and the Colony, gave every hope of a satisfactory result. But the proposition had not yet been laid before the Canadian Parliament, which would meet very shortly, and therefore it would not be courteous to that Parliament, and it would be premature, to enter into a discussion on the subject at present. The Papers, however, would be laid on the Table of the House at the earliest opportunity, after the negotiations had reached a stage at which this would be possible.

RELEASED FENIAN PRISONERS. QUESTION.

Captain DAWSON-DAMER asked the Secretary of State for the Home Department, Whether the Fenians lately confined in Portland Prison were treated in a different and more indulgent manner than the other prisoners; and, if so, whether the relaxation of the prison regulations in their favour was in consequence of orders to that effect; and, if so, by whom were such orders given; and, whether upon the departure from Cork of the released Fenian prisoners for America any, and what sum of money was given to any of them; and, if so, by whom, and to how many, and for what reason, was such money given?

MR. BRUCE, in reply, said, the Fenian prisoners lately confined at Portland were, as a measure of security, kept separate from the other prisoners by an order of the Directors given in May, 1866. The Governor was directed by that order to employ these prisoners as a separate party on a description of labour equal to their ability in point both of strength and of knowledge. As a matter of fact, he believed the labour to which they were put was of the lightest kind assigned to prisoners; but their frequent insubordination and consequent punishment made it very difficult for the Governor to obtain any work from them. The only other relaxation of the rules made in their favour of which he was aware was that, in consequence of their friends being rarely able to visit them, owing to the distance from them at which they lived, these prisoners were allowed to receive more letters than the other prisoners by way of compensation. With regard to the money given to them, the course pursued was—*mutatis mutandis*—the same as in the case of any other prisoners. The practice was, when prisoners were released, to pay the expense of their journey to their place of destination, and to forward a sum varying from £3 to £6, by instalments, to some trustworthy persons, or to the Discharged Prisoners' Aid Society, in case the prisoners were wise enough to consent to that application of the money, in order to provide them with the means of living until they could obtain work. In this instance the passage money of the prisoners was paid for them successively not as first-class passengers, as had been stated, but as second-class passengers, in the first ships that went out from this country; and they were also supplied with £5 for the same purpose as the money given to other released prisoners. Twenty of them received that sum, and of the four others who were released, three of them were discharged in consequence of their term of imprisonment being about to expire, and the fourth was released on a licence in consequence of his extreme state of ill-health. The money given to them was provided out of the Supplies granted by Parliament.

FRANCE AND GERMANY—THE SIEGE OF PARIS—ABSENCE OF THE ENGLISH CONSUL.—QUESTION.

MR. GOLDSMID asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Consul at Paris was absent from his post during the siege with the knowledge and by the permission of the Government; and, if yea, on what ground such permission was given?

VISCOUNT ENFIELD, in reply, said, Lord Lyons being intrusted with discretionary powers on the subject by Her Majesty's Government, and acting in concert with his official colleagues in Paris, under the advice of M. Jules Favre, left that city on the 17th of September last. Some days previously he thought it advisable only to retain so many members of the Embassy as were absolutely necessary to carry on the current work. Mr. Lascelles and Mr. Atlee, who is *attaché* as well as Consul, were selected to leave; they were not, however, to quit France, and were to remain within reach. Previous to Lord Lyons leaving Paris, he did all he could to persuade the British residents to leave; and he urged on them the great risk and danger to which they would be subjected if they resided longer in that city whilst under a state of siege. Similar representations were afterwards made by Mr. Wodehouse, who remained for some time in charge of the Embassy. When at the commencement of the bombardment it was ascertained that many British residents were still in Paris, and difficulties arose as to any diplomatic or consular officer entering the city, the rank of Consul was conferred upon a gentleman well known in Paris, and who had used the most praiseworthy and generous exertions to succour and support the distressed British—by name Mr. Blount, and he has since been acting in that capacity. Mr. Wodehouse has, within the last few days, returned to Paris, and Mr. West is on his way there at the present moment.

TURNPIKE TRUSTS.

QUESTION.

Mr. WHALLEY asked the Secretary of State for the Home Department, Whether it is his intention to introduce again the Bill for continuing Turnpike Trusts, of which the original Acts have expired; or to introduce any Bill having for its object the abolition of Turnpike Tolls?

Mr. BRUCE, in reply, said, the usual Continuance Bill would be introduced this Session. The Act passed last year would secure the extinction of a good many more turnpike trusts than usual; and, in order to facilitate the ultimate abolition of all turnpike tolls, it was the intention of the Government to introduce a Bill making the adoption of the Highway Act compulsory.

FALSE WEIGHTS AND MEASURES, &c.

QUESTION.

Lord EUSTACE CECIL asked the Secretary of State for the Home Department, Whether, in conformity with his statement to the House last year, he is prepared to bring in a measure this Session to remedy the state of the law as to the use of false weights and measures, and the adulteration of food, drink, and drugs; or failing that, whether he will introduce such clauses into his proposed Licensing Bill as will effectually meet the evil?

Mr. BRUCE, in reply, said, with reference to the use of false weights and measures a Bill was now in preparation by his right hon. Friend the President of the Board of Trade (Mr. C. Fortescue), who authorized him to say that he hoped in the course of the present Session to be able to introduce it. As to the adulteration of food, drink, and drugs, he apprehended that the Licensing Bill which he himself would bring in would deal very stringently, and he hoped, also, effectually, with the adulteration of drinks. But it was not his intention, in the present Session, to legislate with reference to food or drugs.

NAVY—COMMITTEE ON DESIGNS OF SHIPS OF WAR—THE "CAPTAIN."

QUESTION.

Sir JOHN HAY asked the Secretary to the Admiralty, If he will lay upon the Table of the House, Copies of the Instructions given by the Admiralty to the Committee on Designs of Ships of War, and the Report of the Board of Construction of the Navy to that Committee on the cause of the loss of Her Majesty's ship "Captain?"

Mr. BAXTER: If the hon. and gallant Baronet will move for the first Paper referred to in his Question—namely, the instructions given by the Admiralty to the Committee on Designs of Ships of War, there will be no objection to its production. But it would be unusual and inconvenient to lay on the Table of this House Papers in the nature of evidence furnished to such Committee before it has reported, and therefore I hope that the second Paper referred to will not be asked for in the meantime.

PATENT MUSEUM.—QUESTION.

Mr. HINDE PALMER asked the First Commissioner of Works, Whether any steps have been, or are intended to be taken, for providing a Patent Museum and offices adequate to the requirements of the nation, in pursuance of the Report for 1869 of the Patent Law Commissioners, and the several previous Reports therein referred to?

Mr. AYRTON, in reply, stated that he held in his hand the Report to which the hon. and learned Gentleman's Question referred; but he was unable to find a recommendation in favour of any particular plan. In one part of that Report it was stated that it would be desirable that a Patent Museum should be built at Kensington; in another part reference was made to a suggestion that the proposed building should be erected on the Thames Embankment; while in another part it was stated that for the last 18 years a great many parties had been anxious that it should be built on the site of the present office in Southampton Buildings. He believed that for the last 18 years it had been a moot point where it would be convenient for the new Patent Office to be erected, and what should be put in it when it was built. It was doubtful whether any such building could be erected until an Act of Parliament was passed to regulate the management of the museum, having regard to the interests of manufacturers and traders. He might further observe that during the last few years the whole of the Patent Laws had been called in question, and Notice had been given by one hon. Member of his intention to introduce a measure dealing with those laws, and by two other hon. Members of their intention to move for a Select Committee in order to effect their total abolition. In the view of the possibility of the Patent Laws being entirely swept away, it would scarcely be desirable that steps should be taken to build a new Patent Museum.

FRANCE AND GERMANY—RE-VICTUALLING OF PARIS.—QUESTION.

MR. BECKETT DENISON asked the First Lord of the Treasury, Whether there is any ground whatsoever for the published statement that the German military authorities are placing impediments in the way of importing provisions into Paris?

MR. GLADSTONE: It is not in my power to give more than an imperfect answer to the Question of the hon. Member. Undoubtedly, to my great regret, the Government have heard that there have been very considerable impediments placed in the way of transporting provisions to Paris; but we have received no information to justify us in placing the responsibility for those impediments upon the Prussian military authorities. The latest information, in fact, that we have received is from Captain Cowen, who was at Havre yesterday, and who stated that provisions could not pass by rail either to Paris or to Rouen, but that they were being sent by river; that every effort would be made by him, and that he was going to Rouen to see the Prussian commandant there upon the subject. In the meantime a telegram was sent by the Foreign Office to Versailles to lay the difficulties in the way of the transit of provisions to Paris before the Prussian military authorities, and to beg that they might be removed as far as lay in their power. I may, however, say that in a country devastated by war the state of the railways and of the rolling stock may account for the circumstances which we all so deeply regret.

THE JURY ACT.—QUESTION.

MR. LOPES asked Mr. Attorney General, Whether his attention has been drawn to the difficulties which will arise at the approaching Assizes in respect of the payment of Jurors under the provisions of the Jury Act passed last Session, and the insufficiency of the funds available for such payments; and whether it is the intention of the Government to adopt any means to obviate such difficulties; and, whether the Government propose to introduce a measure for the amendment of the Jury system?

THE ATTORNEY GENERAL, in reply, said, that the measure to which the Question of the hon. and learned Member referred had been under the consideration of Her Majesty's Government, and, although he believed the measure, on the whole, to be a good one, great objection had undoubtedly been raised to one of its clauses which related to the payment of jurors. It was questionable, indeed, whether that particular clause was sound in principle, and he had himself some doubt whether parties ought to be taxed for the payment of jurors, because it was a question whether if jurors were to be paid they ought not to be paid by the State. The clause in question had given rise to considerable difficulty in Westminster Hall, and would in all probability occasion still greater inconvenience on the circuit. Under these circumstances, he proposed to introduce a short Bill to repeal this particular clause in the Act, and it would be a question whether some better machinery could not be devised in its place.

THE ARMY ESTIMATES—ARMY ORGANIZATION.—QUESTION.

SIR JOHN PAKINGTON asked the Secretary of State for War, If he will consent to postpone taking any Vote in the Army Estimates till the House has had time to consider the changes in Army Organization to be proposed in the Bill which he intends to introduce on Thursday next?

MR. CARDWELL: I think the proposal is a perfectly reasonable one. I shall not ask for any Vote in the Army Estimates until the plan for the reorganization of the Army has been laid upon the Table of the House. I had, perhaps, better state that the course I think it will be most convenient to take is that I should make my statement on Thursday next in Committee of Supply, and that Progress should then be reported, in order that the House may have time to consider the plan for the reorganization of the Army before it is asked to agree to a Vote in the Army Estimates.

Sir JOHN PAKINGTON: In view of this being a subject of such importance to the security of the State, I hope that the right hon. Gentleman will not proceed to take any Vote in any Estimates until hon. Members have had a week in which to consider his proposal.

Mr. CARDWELL: I do not intend to ask for any decision of the House upon the subject until full time for consideration has been given. The first Vote in the Army Estimates will not be taken for at least a week after the day on which my statement will be made.

FRANCE AND GERMANY—THE NEUTRAL POWERS AND THE TERMS OF PEACE.—QUESTION.

Mr. AUBERON HERBERT asked the First Lord of the Treasury, Whether Her Majesty's Government are acting in concert with other neutral Powers to secure terms of peace between France and Germany of such moderation as will insure the permanent tranquillity of Europe?

Mr. GLADSTONE: As regards the steps that have been taken by Her Majesty's Government up to the present time, I may refer to the Papers laid upon the Table of the House, or I should rather say, which have been distributed among hon. Members this morning, to which I have only to add that on the 20th of January a Paper posterior to that collection of Papers was framed, in which a suggestion has been conveyed to the German Government that it might with great advantage make known to France the terms of peace upon which they propose to insist. I am not able to say whether any step has been taken by the Prussian Government in consequence of that communication; but with regard to the present and to the future I may state that we are not at this moment acting in concert with the other neutral Powers respecting the terms of peace to be agreed upon. In saying this, I do not in any way intend to recede from the views expressed on Thursday night that the terms of peace are matters of legitimate interest to the neutral Powers; but those who are the primary and chief authorities in framing the terms of peace are the two belligerents; and at the present moment we have no reason to believe that it is the desire of either of the belligerents that the neutral Powers should take any steps in the matter, Recollecting that we are now within a very few days of the time when a Representative Assembly will meet in France, which will in every sense be qualified to act for the people, I think that the hon. Member will agree with me that it is better not to press this matter further at the present moment.

QUEEN'S SPEECH.—HER MAJESTY'S ANSWER TO THE ADDRESS.

The COMPTROLLER of the HOUSEHOLD (Lord Otho Fitzgerald) *reported* Her Majesty's Answer to the Address, as follows:—

I thank you for your loyal Address.

In your good wishes upon the Marriage of My Daughter I gratefully recognise a fresh proof of your attachment to My Throne and Person.

I receive with much satisfaction the assurance of your concurrence in My prayer that the present Armistice may result in an honourable and durable peace between the two great Nations now unhappily at war.

I earnestly trust that all your efforts for the promotion of the welfare of My People, and the security of My Empire, may be directed to a prosperous issue.

PRINCESS LOUISE.

THE QUEEN'S MESSAGE.

Message from Her Majesty *considered* in Committee.

(In the Committee.)

Mr. GLADSTONE: I rise, Sir, to make a proposal the same in terms and the same in substance which has been made on former similar occasions—namely, on the occasions offered by the marriages of the Princess Louis of Hesse and the Princess Christian. And I should have been very glad if it had been consistent with my duty to assume, without doubt, as the Government has been able to assume at the periods which I have named, that there would be an unanimous—either literally or substantially—acceptance of the proposal. I feel it to be a subject for regret that there should be any doubt—I do not say as to its acceptance by the House: of that I have no doubt, nor of its acceptance by a very decisive expression of opinion have I any doubt—but of the vote which any hon. Gentleman may feel disposed to give on such an occasion. Nor is it the House alone that would be disappointed, I think, if any real difficulty were to be interposed in the way of passing such a measure; for I am persuaded that the whole nation, with very rare exceptions, would regard with surprise and dissatisfaction the hesitation of Parliament to make the becoming and usual provision for a Princess of the Royal House of Her Majesty.

With respect, Sir, to the circumstances of the contemplated marriage between the Princess Louise and Lord Lorne, it is not necessary for me to dwell upon them at any length. The character of the Royal Bride is known to some of us by personal intercourse, to others by the voice which rumour carries forth; and I do not think that rumour has ever carried forth, in any case recorded in our modern history, impressions more satisfactory or more delightful than those which have been conveyed to the popular mind with respect to the Princess Louise. But happily, that is not a novelty in the records of our time, for the daughters of the Queen, for whom we have been formerly called to make a becoming provision, have had every claim upon our admiration and regard. But there is a novelty in the present instance, although I am persuaded that novelty can hardly be in the mind of any among us (or, if in any, it must be in the mind of a few only) a source of doubt or dissatisfaction, —it is that the Princess Louise is about to bestow her hand upon a British subject. Now, Sir, in the resolution which the Queen has taken that the absence of Royal rank shall not of itself, and in every case, form an insuperable bar to a suit for the hand of one of her daughters, she is not acting without the advice of responsible Ministers. But she has shown, in coming to such a resolution, another manifestation of that principle which has governed her life—the principle which has taught her, amid the pomp and splendour, and amid the duties and cares of Royalty, never to forget the womanly and motherly character. She has justly impressed on the mind of the country a belief that there is no mother throughout the wide expanse of her dominions to whom the personal happiness of her children is more intensely dear. Her object has been ever to choose, as husbands for her children, or to favour the choice of, persons upon all the points of whose character and, above all, upon whose governing principles she could entirely rely. Acting upon that rule, she has seen marriages of her daughters to foreign Princes, which have been to her a source of delight and satisfaction; and it is not from any disparagement of or disappointment in such marriages that in the present instance a different course is pursued. The real principle now is the same as it has been on each successive occasion—namely, the desire that the person who is honoured with the hand of the Princess Louise should be one in whose character her future destinies should, humanly speaking, be safe.

But anyone who doubts the prudence of the course now to be pursued may do well to reflect that if the Queen has been pleased, and if the Princsse Louise has been pleased, to depart from the former practice, the practice so departed from can hardly be termed ancient. It was no unusual thing in the history of this country, but far otherwise, for persons of the Royal House to bestow their hands upon British subjects. And I must say that such a practice is agreeable to the usages and social system of the country. The feelings, habits, and convictions of the country are not altogether favourable to the formation of classes absolutely exclusive. We have a perpetual blending of class with class familiar to our daily experience. We see it in the intermingling of the titled aristocracy of the country with the untitled gentry, and of the untitled gentry with the middle classes; and this interlacing we all believe to be wholesome and beneficial, and not the least operative among the many sources of the happiness of the people and of the firmness of the social structure. I know no reason why such a principle should not be applicable to the highest class of all, in which we have not seen it recently applied; or why there should not occasionally be a descent, if so it is to be called, of the Royal Family itself into the ranks of the higher nobility. I will not dwell further upon the special circumstances of the marriage, because I rest confidently in the belief that they are calculated to give, and that they have given, very general satisfaction.

Now, Sir, as I think it is my duty to anticipate every reasonable, or even unreasonable, objection that, so far as I can divine—and I own that I find the task one of difficulty—may be made, or scruple that may be entertained, I proceed next to notice what I hardly think will form the subject of difficulty in the minds of anyone who reflects for a moment—namely, the amount of the provision I now ask the House to make. The annuity of £6,000 a year is now proposed to the Committee, and in the regular course the portion of £30,000 will be voted as one of the grants of the year. I do not think, whatever may be his political opinions or social position, that any Gentleman will consider this provision an immoderate one in connection with the position of the Royal Bride, and with the scale of living and expenditure in this country. But, in order to show that the hand of modern economy has not been idle, I may compare the provision made for the younger daughters of the Royal House of our time with that made at an earlier period for the younger daughters of George III. The Princess Augusta Sophia had an annuity, partly out of the Consolidated Fund, and partly out of the Civil List, of £15,000 a year; the Princess Elizabeth had £14,000 a year; the Princess Sophia had £13,000 a year; and the Princess Mary, Duchess of Gloucester, had £14,000 a year; besides which there was a similar sum voted for her husband. I will assume, therefore, for the present, that it is not on the amount of this provision that the controversy—and I confess I regard it as a somewhat unworthy and paltry controversy—can be raised. But certain questions may have occurred in the minds of hon. Gentlemen. It seems to be asked, are we now called upon to make provision in a case where provision has virtually been made already? That, I understand, is the doctrine which some are disposed to maintain. My contention is that no provision whatever has been made for this case. I know that a vague idea is entertained that the Queen has a large income, and that out of this it would be her duty to effect savings, like other parents, out of which her daughters should be competently endowed. But there is not the same power of regulating expenditure as in the case of private incomes, nor an equal facility, therefore, for storing annual receipt with a view to family arrangements. Undoubted, the Sovereign of this kingdom has a large income; but, although it is a large income, it is an income which, far more than any other large income in the country, is predetermined to special purposes; an income of which only very limited portions are under the control and discretion of the Sovereign. The nominal amount of the Sovereign's income, if we add together the Civil List and the revenues of the Duchy of Lancaster, may be larger, possibly, than that of any subject, though there are a few among subjects who may come near it; but there are, undoubtedly, subjects in this country who have the real command over, and can expend at their free choice and pleasure, larger sums than are practically at the disposal of the Sovereign.

Gentlemen who study the structure of the Civil List Acts will perceive that Parliament studiously lays down the application of the monies granted to the Sovereign, and confines them to the special services for which they are destined. In truth, when an arrangement of this kind is made with a Sovereign, the most sanguine expectation commonly entertained by a rational Legislature is that the Sovereign shall, by good husbandry, remain in a position to keep strict faith with the people, and shall not come to Parliament from time to time making pleas on one ground or another to show the insufficiency of the provision, and to disturb the bargain made, by new demands for the same purpose upon the public purse. I need hardly remind the House that we are now in the 34th year of a reign during which on no single occasion has any such demand been made. The management of the Royal household, and the management of the Royal income, have set an example of economy and good order to all the families of the country. But the present question is whether there is any, the slightest, foundation for the belief some may entertain that it is the duty of the Sovereign to effect such savings out of the income of the Crown as will be sufficient to meet these purposes. Now, Sir, I will say that I believe that this is not only not the duty, but even that it is out of the power of the Sovereign. This is a matter that is governed by practice—I do not mean by a written rule of practice, I do not mean by a literal covenant—I mean that practice of honour and good understanding and loyalty, which arises out of, and which is irrefragably confirmed by, a long and unmistakable course of precedent. The

House knows very well that it is only within the present century that, after much labour directed to that end, it has been found practicable to come to a close, intelligible, and satisfactory arrangement with regard to the support of the Royal dignity and person. At the commencement of every reign a sum is allotted by an Act called the Civil List Act for that purpose. Does that Civil List Act contemplate a provision being made out of the funds it grants for the maintenance of the Royal children? I say it does not; and the proof that it does not is that, under all circumstances, it has been the established and understood practice of every Government to come to Parliament from time to time, and to ask for some separate provision to be made on behalf of the Royal children. The expense of the Royal children in their youth—in their youth I include the period up to their marriage or their attaining full age—has been borne by the Sovereign without any appeal to Parliament; but the practice has uniformly been that when the Royal children pass into independent life, whether by marriage or by attaining full age, or at whatever precise date, to apply to Parliament to make a provision. I fully admit that I am not prepared to quote anything in the nature of a written agreement on the subject; but I am prepared to affirm that the argument of practice has in this case the force of a demonstration. Now, in 1830, the Civil List of William IV. was fixed at £435,000 a year, and no better period for an economical precedent could be taken. I doubt if even a period as good could be found. I do not say that the commencement of the present reign has not also been excellent in that respect; but certainly there never was a time when there was a greater desire evinced on both sides of the House to draw the reins tightly and to prevent anything like extravagance in public expenditure than there was at the commencement of the reign of William IV. The sum then assigned to the Civil List was £435,000. But the sum given on the accession of the Queen was reduced to £385,000. And why? I think it evident that the amount was reduced because, in the case of William IV. there had been a Queen Consort, whereas Queen Victoria was unmarried at the commencement of her reign, and the contemplation was that if Her Majesty were to marry, then the time would arrive for Parliament to consider what increase of expenditure would necessarily follow upon any change of establishment and life which would so be produced. Shortly after, Her Majesty was happily married. And what then happened? A new proposal was made to Parliament, and a Vote was taken on behalf of the Prince Consort as the husband of the Queen, in addition to the Civil List. Therefore, from the Civil List, originally fixed in 1830, a reduction was made in 1837. It was made when the Queen was a maiden, it was altered when the Queen was married. It is impossible to have a stronger attestation of the principle upon which these matters have been uniformly regulated.

Now, the fact that there is a uniform practice of this kind — what I should call a loyal and honourable understanding and practice—is quite conclusive; but, at the same time, I would beg the House to consider that the contract or arrangement is no very unfavourable one to the public. When we granted the Civil List, at the commencement of the reign, we did not grant it without an equivalent. We received in return those lands which formed the endowment of the Crown. It would, at least, be not too much to say that in a country governed by a monarchy the Crown ought to have the largest of all personal endowments. Accordingly, the Crown of this country has had, and so the Crown of this country would at this moment have had, an income much exceeding any private income, if the estates of the Crown had been used from time to time as those belonging to private individuals are — namely, solely for the purpose of extracting from them the greatest amount of profit it is possible to gain. Still, it so happens that, at the present day, the net revenue of the estates of the Crown has just reached the sum paid to Her Majesty under the Civil List Act. The sum paid from the Consolidated Fund on account of the Civil List Act amounts to £385,000, and the net sum paid into the Exchequer as the proceeds of these Crown lands is estimated for the present or coming year to amount to £385,000 also. Therefore, there is no very great or glaring difference in the case thus viewed. I know, of course, that there are some other emoluments enjoyed by the Crown, and that various other grants have also been made to members of the Royal Family; but, on the other hand, we should look at the valuable acquirements made by the people in the Parks of London and the Parks in the neighbourhood, which have been devoted for every practical purpose to the benefit of the nation. I ask, what do you believe would be the income of the Crown if the Parks of London, instead of being placed under particular provisions for the public good, had been cut up into building lots, and if the Parks in the neighbourhood of London had been, or were now to be, laid out for the erection of villas—that is, if this land had been used by and for the interest of the Crown for years, or rather for generations past, as it would have been used if it had belonged to private proprietors? I believe, though I have no right to give an estimate with authority, that in that case the annual independent income of the Crown would, perhaps, be not less at this moment than a million sterling.

But the truth is, Sir, that this is a very narrow view of the case to take. There is a much deeper and a much broader question involved. The competent support —not the lavish and extravagant, but the competent and becoming support—of the Crown and the Royal Family is an important and an indispensable part of our political system. It is not the money paid back from the Crown lands into the Exchequer that forms the real equivalent to the public. That equivalent is to be found in the additional security given for the political benefits and blessings that we enjoy. We have not far to look to learn how difficult it is on this side of the Atlantic to bestow upon democratic and popular forms of government on a large scale the conditions of stability, and how difficult also it is to root monarchical forms of government in the affections of a nation where unhappily the union of tradition may not have been altogether favourable to such an association. And we have seen, too, how instability of succession places dynasties in this position—that the interior policy of a country becomes subservient, almost of necessity, to the interests of family, and that questions of peace and war, if pursued to their first causes, may be too often referable to considerations of what would be popular, or what would be unpopular, in reference to the interests of particular families. I trust, and I do

not doubt, that this House, acting with that wisdom which guides it upon every great constitutional question, will perceive that we should commit the grossest of all errors if we were to be content with entering into minute pecuniary calculations upon a subject of this nature; if we were to regard this simply as a question whether or not a grant should be made on mere pecuniary grounds as matter of account, and not as one affecting the happiness and welfare of the people of this country, for which the existence of an ancient and deep-rooted monarchy constitutes one, at least, among the best and most effectual guarantees.

I admit, indeed, that there is something to be said from another point of view. The practice of the House has been on all occasions to make those grants with cheerfulness—almost with eagerness. I think, unless my memory deceives me, I have heard a large number of Members in this House object to the grants more on the ground of their being too small than as being too large; and I am afraid that objections now taken may hereafter tend to promote a reaction in the direction of excess. But these Votes have on all occasions within my recollection been liberally and cheerfully voted, and if they were no longer to be liberally and cheerfully voted the act of asking for them would become intolerable to any person of high spirit and of due self-respect. It would be impossible for the Sovereign—it would be impossible not for a Sovereign only, but for any person endowed with a just sense of duty, and, therefore, with that self-respect which is a part of duty, to enter into angry controversy with Parliament, should Parliament be so disposed, on such questions. And what would be the consequence? We should have to change our system. At the commencement of a reign, besides giving to the Lord Steward what he requires, and giving to the Lord Chamberlain what he requires, and so forth under the various heads, we should have to do what is done in so many private families—we should have to provide for all these distant contingencies and secure beforehand a becoming income to the children of the Sovereign. The effect of that would be—first, a great diminution of the moral control of Parliament over the Royal Family; and, secondly, a great diminution of the moral control of Royal parents over their rising families of children. It is, to my mind, open to much doubt whether it can be in the interests of a State that such a change should be made. And, undoubtedly, it is not in the pecuniary interests of the Sovereign that the present system is pursued. It exposes the Sovereign—it exposes the younger members of her family, who have never known reproach in any form—to idle vituperation, or, if vituperation is too harsh a word, to idle objections and to cavil. No doubt for the Sovereign it would be convenient enough that all these provisions should be made beforehand. But the present system, whatever it may be in other respects, is a system national and popular in its spirit—a system founded on those free relations of generous confidence which ought always to govern the conduct of the Sovereign of this country towards the Parliament. The Sovereign confides and trusts that when a reasonable and becoming demand is made, the occasion having arisen, Parliament will not hesitate for a moment to meet that demand; and Parliament has ever acted in such a manner as to justify this confidence by facts. I am sure that no one who considers the case will fail to see that this method under which from time to time, as mature age is attained by members of the Royal Family, or as marriage is about to be contracted, Parliament is asked to make proper provision, is a system conceived in the interest of the people, and likewise one which can only work as long as harmonious and cordial relations are maintained between the Sovereign and the Parliament. Sir, I think that if that be so it is needless for me to go further in the discussion of this important matter. It may be that some Gentlemen have discovered elements in it which have not met our view; but confident as I am that we are acting according to the principle of good faith, according to old and uniform precedent, and according to sound policy, I have not the least hesitation in putting, Sir, into your hands a Resolution which I am confident will command the assent of an overwhelming majority of the House, and which has for its object to make, in view of her approaching marriage, the usual provision for the daughter of the Queen.

Resolved, Nemine Contradicente, That the annual sum of Six Thousand Pounds be granted to Her Majesty, out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on Her Royal Highness Princess Louise, for her life, in such manner as Her Majesty shall think proper, and to commence from the date of the Marriage of Her Royal Highness with the Marquis of Lorne.

House *resumed.*

Resolution to be reported *To-morrow.*

BUSINESS OF THE HOUSE.

MOTION FOR A SELECT COMMITTEE.

MR. GLADSTONE, in moving that a Select Committee be appointed to consider the best means of promoting the Despatch of Public Business in this House, said, as he had already detained the House at perhaps too great length, he would take care now not to fall into a similar error. He thought there was such a general concurrence as to the necessity of appointing this Committee that it would be best to avoid on the present occasion all discussion as to details, and he would merely remind hon. Members that the proposal had grown out of an occasion of a very grave nature. On a subject of a most critical character which arose for discussion in the course of last year they had the spectacle of Members rising in their places to require the withdrawal of Strangers. Some approved the proceeding on the part of Members who so used their privilege, others questioned the propriety of it; but almost everyone owned that it created an absolute necessity for the consideration of the subject. The general pressure of business on the House made it also desirable that a Committee should be appointed, who would have an opportunity of ascertaining the opinions of the right hon. Gentleman in the Chair, who was the highest authority, and other high authorities connected with the working and management of the business of the House, and he had therefore great confidence in proposing the Motion of which he had given Notice.

Motion made, and Question proposed,

"That a Select Committee be appointed to consider the best means of promoting the Despatch of Public Business in this House."—(*Mr. Gladstone.*)

MR. CAVENDISH BENTINCK rose to move an Amendment to the effect that it is not expedient to restrict further the privileges afforded to private Members by the present arrangements for the business of the House. As it had fallen to his lot last year to do his utmost to prevent the rights of private Members from being infringed upon, he had felt it his duty to place this Amendment upon the Paper for the purpose of obtaining some expression of opinion to the effect that, if any change was to be made, those rights and privileges which rendered that House the most respected of all popular Assemblies should in no way be diminished. He had been still further actuated by the recollection that no Committee had been appointed under the right hon. Gentleman without further restricting those privileges, and also by a report which had been widely spread as to the opinions of the right hon. Gentleman and his Government. Besides, he had read an article in a certain Review with which the right hon. Gentleman was familiar, which had gone deeply into this question; and though it could not certainly have been written by any Member of Her Majesty's Government, because none of them would disclose the policy likely to be adopted by himself and his Colleagues, yet it was known that the right hon. Gentleman had intimate relations with that Review, and the article in question might, to use a foreign phrase, be fairly looked upon as having been "communicated." In this article considerable onslaught was made on the privileges of private Members. In the first place, it was suggested that the power of putting Questions in Committee of Supply should be taken away, and then that some foreign invention called the *clôture* should be used. With regard to the first point, he wished to refer the right hon. Gentleman to the last debate on the Report of the Committee of 1861. Certain Resolutions were at that time proposed for the adoption of the House by Lord Palmerston, the principle of which was to take away from private Members their right to Thursday, giving the Government Thursday and Monday evenings, and also to deprive private Members of their privilege of putting Questions on the Adjournment of the House; while in exchange Friday was made an Order day, and Supply was put at the head of the Orders. On that occasion Lord Palmerston said that—

> "It was more in unison with the fundamental principles of the Constitution that when Supply is proposed it shall be open to every Member to discuss any subject."

Well, if that were so, and if he did not get from the right hon. Gentleman a distinct pledge that this vital principle of the Constitution was not to be interfered with, he would be disposed to divide the House against the Motion. He came now to another point, that of Morning Sittings. In 1867 and 1868 his right hon. Friend the Member for Buckinghamshire introduced a new plan of Morning Sittings which interfered greatly with the rights and privileges of private Members. He believed his right hon. Friend now considered he had committed a great error of judgment, and would gladly retrace his steps. What had been the result? By making the Morning Sitting commence at 2 instead of 12, and end at 7 instead of 4, private Members lost at least 2½ hours a day on an average. Besides, there was the great inconvenience that professional men and men of business could not attend so well under the new plan. Then there was this further inconvenience—that mischievous people came down to the House, and in the Session of 1869 the House was counted out by these mischievous Gentlemen no fewer than four times, and three times last Session. Apart from the actual inconvenience of Morning Sittings, other encroachments had been made on the privileges of private Members. Until the year 1869 the Morning Sittings rarely commenced before the middle of the month of June; but in that year, on the proposition of the right hon. Gentleman (Mr. Gladstone), they were begun at a much earlier period—on the 4th of May—and were continued almost till the end of the Session. Again, last Session, the right hon. Gentleman, on the 31st of March, announced to the House that on the following day he intended to move for Morning Sittings, and he continued these Morning Sittings on every Tuesday and Friday till the Easter vacation. And for what reason? That he might remedy the blunder he had committed in his policy with regard to Ireland. The right hon. Gentleman was a powerful Minister, with great command over his supporters, and, possessing a large majority, might find other means of saving the public time besides curtailing the privileges now enjoyed by independent Members. Unless some satisfactory promise were given by the Government on that subject, he should press his Amendment to a Division.

Amendment proposed,

To leave out all the words after the first word "That," in order to add the words "in the opinion of this House, it is not expedient to restrict further the privileges afforded to private Members by the present arrangements for the Business of the House,"—(*Mr. Cavendish Bentinck,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GLADSTONE said, he believed he was able to give the hon. Member every satisfaction that he required. He appeared to think that the Government had some foregone conclusion, some formidable proposal to make, which they would be able to carry through the Committee to the great disadvantage of private Members. The Government knew perfectly well that it would be impossible to make any alteration in the mode of conducting the Public Business unless the consent of the House was freely given to such alteration. Consequently, their desire was that the most competent Committee that could be formed should be appointed to consider the whole matter without prejudice. Government influence had nothing whatever to do with it. The conclusion at which the Committee arrived would be their spontaneous act. Under these circumstances, he thought the hon. Gentleman would see that it would not be well to tie up the hands of the Committee in any way.

MR. NEWDEGATE said, that having been a Member of the Committee of 1861, he had naturally watched the effect of the recommendations of that Committee, as they had come into operation after receiving the sanction and approval of the House. On several occasions previous to the passing of the Reform Bill, he had entertained some doubt whether the House had duly considered its own dignity in framing the Standing Orders, which it had adopted, and since the passing of that Bill he had become convinced that the Standing Orders ought to be considerably changed, for the purpose of remedying the confusion which prevailed in the transaction of Public Business. In the reformed House there was at first a strong inclination to curtail debates on great and vital questions, while the practice had grown up of hon. Members leaving the House almost empty during certain hours of the night. He was sorry to say that sometimes when questions of the greatest interest had been before the House, those who ought to have led the Opposition had been absent for hours. There were instances of the House having been counted out during the well-known dinner hour. He thought the time had come when the House ought to consider whether it would not conform its proceedings in some measure to the well-known social habits of its Members. He considered it unbecoming that the conduct of Public Business should be left in the hands of a small minority from half-past 7 to half-past 8 in the evening. He had no doubt that it was this consideration which induced the right hon. Member for Buckinghamshire to propose Morning Sittings to commence at 2 p.m., but the proposal was too absolute, and the interval chosen was too long; it might be possible, however, to make some modification of that principle, so as to prevent the House from neglecting matters of great importance in the absence of hon. Members during the dinner hour. He agreed with the hon. Member for Whitehaven (Mr. C. Bentinck) that the privileges of independent Members ought not to be curtailed. There had been carelessness on the part of the great body of the House on the subject of Questions put before the commencement of the regular business of the House began each afternoon. One of the objects of the Committee of 1861 was the limitation of the enormous number of Questions on Fridays on going into Committee of Supply, but it seemed to him (Mr. Newdegate) that now this excess of Questions prevailed whenever the House sat. The House had virtually no control over the Questions which were asked; he had heard Questions put which were most unworthy of the attention of the House, and yet the House had no opportunity of expressing its opinion either for or against these Questions. Before that habit grew up hon. Members were in the habit of submitting Motions, and then the House had the opportunity of expressing their opinion upon them, but the House was quite helpless in the case of Questions. Another inconvenience was the late hour at which the important business was sometimes brought on—an hour when those advanced in years were unable to attend in their places, when they were exhausted by the labours of the day. If any hon. Member watched his opportunity and pressed on his business between 1 and 2 in the morning, there was no resource for those who objected, but to move adjournments, and to incur the imputation of faction. Besides this, it was impossible for the newspapers to report debates that occurred after a certain hour. Business of importance was thus often debated without the country knowing anything of the discussion, although the public were under the impression that they were fully cognizant of all the Parliamentary proceedings which took place. He thanked the right hon. Gentleman for fulfilling his promise of last year, by proposing that the House should have another opportunity of re-considering the Standing Order by which its debates were regulated, and concurred with the hon. Member for Whitehaven (Mr. C. Bentinck) in thinking that the great body of the House ought to resist any further restrictions upon its independent action. He thought it necessary to the dignity of the House that it should endeavour to adopt such rules as would restrict the obtrusion of Questions over which the House had not adequate command, and by some expression of opinion enjoin that every Member should pay proper attention to the dignity of the House.

Mr. G. B. GREGORY avowed his readiness, as a private Member, to waive some portion of the privileges which he now enjoyed; and he would do this the more readily that one result of the privileges private Members now enjoyed was that he had frequently been compelled to listen to long discussions in which he felt little interest, and which led to no practical result, up to 2 or 3 o'clock in the morning, because the interests of his constituents were involved in legislation, often of a very experimental character, attempted at that hour. Upon Members who were engaged in mercantile or commercial pursuits during the day attendance at such hours as those pressed with great severity—especially when it was remembered that they were expected to be again at business the following day. It was really becoming a question whether hon. Members could hope to combine with their own proper avocations the duties of a Member of the Legislature. The appointment of a Committee, he feared, would have the effect of delaying any remedy to the end of this Session or the beginning of the next. Might it not, therefore, be possible to apply some remedy at once? If there were an understanding that no new business should be taken after 12 o'clock at night it would be possible to close the general debate at 11 o'clock. There was no good reason why this should not be done. Something could be gained at the other end of the Sitting, for Private Business was frequently got through at, or shortly after, 4 o'clock; yet the Speaker was obliged to remain patiently in the Chair till half-past 4 o'clock before the Public Business could commence. It might also be practicable to place some limits on the time occupied by speakers.

Mr. HORSMAN said, he had anticipated, from the terms of the Notice given, that the Motion to be proposed by the Government would be similar in spirit to the speech just made by the hon. Member opposite—that was to say, that it would proceed upon the assumption that the forms of the House were used by private Members, if not for the purpose of obstructing, at least with the effect of impeding Government legislation, and that it was accordingly desirable to appoint a Committee to ascertain whether it was not possible further to curtail the privileges of private Members, and to increase the opportunities of carrying Government measures. But he now learned distinctly from the right hon. Gentleman at the head of the Government that they had no object, purpose, or intention of restricting, and would not lend themselves in any way further to restrict, the privileges of the House or the opportunities of debate—

Mr. GLADSTONE: The right hon. Gentleman is putting words into my mouth. I did not say that "we never would lend ourselves." What I did was to suggest the appointment of a Committee to investigate the subject, and that the whole subject should be left to the consideration of the Committee.

Mr. HORSMAN said, that on the last occasion when a Motion on the subject was made from the Government Bench, he moved an Amendment similar to that of the hon. Member for Whitehaven, knowing that frequent attempts had been made with the result of removing some of the safeguards that had been established for the protection of the minority. If any intention existed to restrict the privileges of Members it would only have been fair to state it openly, and he had no doubt the right hon. Gentleman would have done so. Understanding that the Government had no proposition of that kind to make, and that when the Committee reported hon. Members would be perfectly free to express their opinions in case any changes hostile to the privileges of the House should be recommended, he thought it advisable that the Amendment should be withdrawn, and that the Committee should be appointed without opposition. As far as private Members were concerned, any change, he thought, ought to be in the direction of restoration rather than restriction.

MR. G. BENTINCK expressed his entire concurrence in the opinion expressed by the right hon. Gentleman who had just spoken, that any change which might be made ought to be rather in the direction of increasing than of decreasing the rights of private Members, which had been attacked and impaired on former occasions. If there was one question more important than another, it was the freedom and independence of Members. The right hon. Gentleman at the head of the Government told them that he had not arrived at any foregone conclusion. He was quite prepared to assume that the right hon. Gentleman was the very soul of candour; that he never at any time in his life had the slightest feeling of reticence, but was always prepared to lay before the House every thought and feeling of his mind. But why, then, did the right hon. Gentleman move the appointment of a Committee to inquire into the business and proceedings of the House? Was it possible that he could have done this without having arrived at some foregone conclusion? Was it to be supposed that he had made this Motion without thinking that some change was required; or was it likely that the right hon. Gentleman, with his grasp of mind and attention to business, had never considered in what direction he would like the change to be? Gentlemen who were in the House of Commons formerly at the same time as himself, would remember the attacks which were then made on the privileges of independent Members by previous Governments, and the promises then made which had never been redeemed. In 1861 there was a change in the order of business, with the distinct understanding that Supply was to be put down on Friday nights for the purpose of enabling private Members to introduce any subject which they might wish to discuss, and the much lamented noble Lord (Lord Palmerston), then at the head of the Government, gave a pledge which, no doubt, he fully meant to carry out, that the Government would always keep a House on Friday nights for the purpose. Subsequent Governments, however, had failed to redeem the pledge, and the consequence was that Friday nights were virtually lost to private Members. He much regretted that a clearer explanation had not been given by the right hon. Gentleman at the head of the Government. He most deeply regretted—and he was sure every Member of the House would deeply regret—the absence from the House of the right hon. Gentleman the Member for Birmingham (Mr. Bright), who had always exercised great control over the proceedings of the Government itself, and of the right hon. Gentleman at the head of it. He could not think that if the right hon. Gentleman the Member for Birmingham had been present now, acting in the spirit which had always made him one of the most able champions of the liberties of the House, he would have failed to raise his voice and to protest against any inroad being made on the rights of private Members; and he trusted that when the matter again came under consideration the House would have the benefit of the right hon. Gentleman's presence. For his own part, he did not believe the Committee could meet without coming to some conclusion adverse to the rights of private Members. As happened 10 or 12 years ago, when this subject was investigated, the inquiry would result in a fight between those who held and those who expected Office against the independent Members of the House of Commons, their object being to prevent any voice but their own being heard. Of course, he could not anticipate the decision of the Committee; but he hoped his hon. Friend the Member for Whitehaven would not press his Motion to a division. The composition of the Committee ought, however, to be closely scrutinized, and he trusted that when the Report was brought up the House would be prepared to defend its own independence.

Mr. OSBORNE MORGAN said, that as matters stood at present, it was very difficult for a private Member to carry a measure through the House. He himself had made the attempt, having spent nearly half last Session in the endeavour to get a Burial Bill passed; but, considering how slow was its progress, he believed he should be buried himself before he attained his object. Indeed, so many difficulties were in the way of a private Member, that the result would be that all opposed measures would have to proceed from the Government. Now, was this desirable? The remedy he would suggest was that some check should be put on the practice of making Motions to report Progress and to adjourn the debate. He should be exceedingly sorry to put any unfair restraint on the rights of the minority; but when, as happened last Session, 15 Motions were made in the course of one night for the adjournment of the debate, and six to report Progress, and when two hours were spent after midnight in debating whether there should be any debate at all, it was high time a check should be put on so pernicious a practice.

Mr. RATHBONE said, that much prominence had been given in the speeches just delivered to the rights and feelings of private Members in reference to this matter; but the first duty of hon. Members was to legislate for the advantage of the country, and he thought no one who had had much experience in that House could avoid coming to the conclusion that Bills were often hurried through in a by no means creditable manner. Now, he did not conceive that the mere retention of certain antiquated forms ought to be regarded as of equal importance with the turning out of measures in a creditable and satisfactory form. He had read the Reports of the Committees which inquired into the forms he had just referred to, and also the suggestions made by the witnesses examined before them; and he found that the late Speaker, the present Speaker, and all the most experienced Members of the House, concurred in the opinion that many forms observed by the House were perfectly useless, and might be abolished with great advantage to the legislation of the country. He hoped

the Committee would not be fettered by any pledge as to maintaining the rights of private Members, or the old forms of the House; but that they would be left perfectly free to consider the best means of conducting the legislation of the country.

Mr. ANDERSON said, that as a Member who attended the House at all hours, however late, he thought he had a right to say a few words on this question. It appeared to him there were but two methods by which it was possible to gain more time for the transaction of the Public Business of the House. One, which, perhaps, would not be relished by many Members, was to give the House a certain power of limiting the length of speeches; but of the usefulness of the other method a very good illustration would be given that evening, when the House was about to enter upon a discussion of an Elementary Education Bill for Scotland. It would be in the remembrance of the House that this very ground was gone over two Sessions ago, when this House, after much and careful labour, completed and passed a Scotch Education Bill; but all its work was thrown away and lost because the measure reached the Lords so late in the Session that they declined to take it into consideration at all. The remedy he would suggest for such a state of things was to provide that, when a new Parliament had not been elected in the meantime, Bills passed in this House towards the end of one Session should be taken up to the other House at the beginning of the next. The present system not only caused much loss of time, but gave rise to a great deal of hasty and improper legislation, for no other reason than that Bills might be got through the House in time to be considered by the other.

Mr. CAVENDISH BENTINCK said, that after the discussion which had taken place, and after learning that it was not the right hon. Gentleman's intention to limit the rights of private Members, he should not press his Amendment to a Division.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Select Committee *appointed,* "to consider the best means of promoting the Despatch of Public Business in this House."—(*Mr. Gladstone.*)

And, on February 28, Committee *nominated* as follows:—Mr. DISRAELI, Mr. CHANCELLOR of the EXCHEQUER, Sir GEORGE GREY, Mr. DODSON, Colonel WILSON PATTEN, Mr. BOUVERIE, Mr. HUNT, Mr. KNATCHBULL-HUGESSEN, Mr. NEWDEGATE, Mr. DALGLISH, Sir HENRY SELWIN-IBBETSON, Mr. CAVENDISH BENTINCK, Mr. CLAY, Mr. GRAVES, Mr. GOLDNEY, Mr. CHARLES GILPIN, Colonel BARTTELOT, Mr. RATHBONE, Mr. VANCE, Mr. BOWRING, and Mr. CHARLES FORSTER:—Power to send for persons, papers, and records; Seven to be the quorum. March 1, Sir JOHN PAKINGTON *added*, Mr. HUNT *discharged;* March 3, Mr. COLLINS, Mr. WHITE *added.*

MINES REGULATION BILL.

LEAVE. FIRST READING.

MR. BRUCE, in moving for leave to bring in a Bill to consolidate and amend the Acts relating to the Regulation of Mines, said, he wished to call the attention of the House to the main points of difference between the present measure and the one which he introduced last Session. After the Bill was brought into this House last Session, a noble Lord (Lord Kinnaird), who had long presided over the Royal Commission appointed to inquire into the health of those who work in metalliferous mines, which were not dealt with in the Government measure, introduced a Bill relating to those mines, and giving effect to the recommendations of the Commissioners. Thereupon he (Mr. Bruce) undertook, on the part of the Government, to introduce, as Amendments in the Bill, substantially all the provisions of the measure respecting metalliferous mines. The present Bill would, therefore, deal not only with coal mines and iron mines worked in connection with coal mines, but with all the mines in the country. To the suggestions made by several hon. Members he had given the most careful consideration, and the result was that in one or two not unimportant respects he had found it advisable to modify the Bill. The Committee, which sat for two years investigating this subject, recommended that the most important general rule of all those which affected mines — that relating to ventilation — should be modified in an important manner. The present rule was that all coal mines, and iron-stone mines in connection with coal mines, should have an amount of ventilation sufficient under ordinary circumstances to dilute the noxious gases. Some Inspectors found it difficult, however, to obtain convictions, as the magistrates frequently found that ventilation, which in the opinion of the Inspectors was inadequate, was sufficient for safety under ordinary circumstances. Consequently it was proposed by the Select Committee to lay the *onus probandi* on the owners of mines and their agents, instead of on the other side. This change was greatly opposed by several Members, and not supported by any. He had consulted the Inspectors of coal mines, and the result was the conclusion that, on the whole, it was best to retain the law in its present form. The Select Committee felt the greatest difficulty in dealing with the education of miners; but they were agreed that the present regulations were imperfect, and that the provisions made with the object of securing the education of miners were illusory. The law, as it now stood, provided that a child of 10 years of age, who could pass an examination in reading and writing, might be employed in a mine; but it took no security for the character of the examination, such as providing that it should be conducted by a certificated master, or fixing a certain standard of proficiency; and the consequence was that in many cases a most imperfect knowledge of reading and writing was certified as being sufficient. As soon as the examination was passed, a youth was employed without restriction as to hours, and that under circumstances most adverse to any kind of culture. Could anything be conceived more miserable than the condition of a boy of tender age shut up for 12 hours at a time in a dark cavern, with "knowledge at one entrance quite shut out," and altogether cut off from many opportunities of acquiring intelligence possessed by boys who spent their time above ground, even although they were not at school? The Select Committee considered this matter fully, and especially whether it would be possible to introduce the half-time system; but, on the whole, they arrived at the conclusion that it was best to exclude children altogether from the mines until they were 12 years of age, trusting that up to that age they would take advantage of the educational facilities now to be extended to them by the Act of last year, and believing that, if this exclusion were carried out, it would be unnecessary to impose any further restriction. The Factory Acts and the Workshops Regulation Act provided that children under 13, who were at work, should be secured a certain immunity from extreme labour, and a certain amount of education; but as, in the case of miners, it was proposed to relieve children from work up to the age of 12, it was considered less necessary to put them under the half-time system for the remaining year, which, indeed, would create an amount of inconvenience out of proportion to the good effected. He stated last year that of all the amendments suggested the most practical seemed to be one offered by the hon. Member for Halifax (Mr. Akroyd), supplemented by the hon. Member for Brighton (Mr. Fawcett), which was that children should be allowed to enter the mines at 10, but that their hours of labour should be limited to three days a week, and that they should have at least 10 hours' education in school every week. He had received from the Association of Miners a proposition of a new and startling nature, which was that no child should be allowed to enter a colliery until he reached the age of 12, and not even then unless he passed a certain examination which would secure proficiency in reading, writing, and arithmetic, and that for young persons of from 12 to 16 years of age, the labour should be limited to eight hours a day; and that these young persons should attend school for a certain number of hours a week. He did not doubt the perfect sincerity with which the Association endeavoured to promote the education of the children of their own class; but he was bound to say there seemed to him to be something more than a desire for education in this proposition, for it was known that many of the Trades Unions had made it one of their objects to prevent the employment of children so as to keep up the rate of wages, by keeping down the number of persons employed; and when such a proposition as this was made we must see in it some object other than the advance of education. The age at which children were allowed to begin work was, under the Factory Acts, 8 years; but he thought there was ample justification for treating the mining population differently, and fixing the earliest age at a more advanced period of life. With this difference, he thought it was just and fair to adopt, as far as possible, the lines that had been already laid down; and he, therefore, proposed to allow children to be employed at the age of 10, to limit their employment to three days a week, to require that they should attend school 10 hours a week, and to maintain these restrictions up to the age of 13. With respect to the hours of labour, the propositions of the Bill were substantially the same as those of the Bill of last year, and it was then proposed to limit the labour of all boys under 16 to 56 hours a week, and at the same time to provide that under no circumstances should a boy be kept down a pit more than 12 hours a day, including an hour and a half for meals and rest. The work in mines was not, generally speaking, of a fatiguing character, and he believed that the work done by a child in a factory was, on the whole, more tiring than the work done by a child in a colliery, which was often confined to the watching of doors and opening and closing them as required. Another alteration in the Bill would, he believed, be deemed satisfactory. It was put forward as an injustice last year that miners should be liable to imprisonment, without the option of a fine, for certain offences, and that agents and others, often as culpable, should be punished only by the imposition of fines. There was undoubtedly a distinction between the two cases; for the offence of the workman was often clear and definite, while that of the agent was more indirect and complicated, and less easy to prove. He was still of opinion that both workmen and agents should be subject to imprisonment if their conduct deserved it; but he proposed that there should be a right of appeal whenever a man was sentenced to imprisonment without the alternative of paying a fine. Those were the only alterations of any importance which had been made in the measure, and the minor alterations, upon which he had not touched, it would be more convenient to discuss when they got into Committee. He had been unable to meet the wish of the hon. Member for Edinburgh and St. Andrew's Universities (Dr. Lyon Playfair), that some provision should be made for the examination of agents. He had given the subject a good deal of consideration, and he had arrived at the conclusion that it was far more dangerous than advantageous for the Government to interfere in the matter by attempting to influence the choice of agents. The defects that existed in the management of collieries did not arise so much from a want of education on the part of the managers, as from a want of attention to duties, and from failure to use the means at their disposal for securing the safety of those intrusted to their charge; and these were failures against which no examination could provide, while no examination could test the energy, vigilance, presence of mind, which constitute in the eyes of the employer the highest merits of the agent, and he therefore had abstained from making any provisions for conducting such examinations.

Motion *agreed to.*

Bill to consolidate and amend the Acts relating to the Regulation of Mines, *ordered* to be brought in by Mr. Secretary BRUCE and Mr. SHAW LEFEVRE.

Bill *presented*, and read the first time. [Bill 16.]

EDUCATION (SCOTLAND) BILL.

LEAVE. FIRST READING.

THE LORD ADVOCATE, in moving for leave to bring in a Bill to amend and extend the provisions of the Law of Scotland on the subject of Education, said, that in doing so, he would not take up the time of the House in vague generalities on the importance of the subject, but would proceed at once to explain the leading provisions of the measure. He might, however, be permitted to say for himself that, in undertaking to prepare and introduce a measure on the subject of Education for Scotland, he did so under a full impression of its importance and of the difficulties he should have to encounter. He did not forget the unsuccessful result of previous attempts, made by more able hands than his; and if, nevertheless, he was not despairing, but hopeful, it was because of the changes which had been wrought in men's minds on the subject. Men's minds had become more deeply impressed with its importance, and those political and ecclesiastical considerations, which, to the regret of every good man, had been permitted to obstruct the progress of the education of the people, had been modified or moderated. Those hon. Members who had noticed the title of the Bill would have observed the contrast which it presented to the title of the measure of education for England which was passed last Session. The difference was not merely one in the point of words, but one which indicated a real difference between the condition of Scotland as compared with that of England in the matter of education. In England, as befitted so great, prosperous, and wealthy a country, there was splendid and munificently endowed provision for the higher and the highest education; but until the measure of last Session was passed, the law of England made no provision for the elementary education of all children of the country. In Scotland the matter stood very differently. There the foundations or endowments for the higher or the highest education were few in number and inconsiderable in amount; but, from a very remote period indeed, the law of Scotland had made some compulsory provision for the primary, and, to a considerable extent, for the secondary, education of the people. The burgh schools were coeval with the erection of the Royal burghs. It had ever been considered that one of the purposes for which burghs were erected, charters, privileges, and lands granted to them, was to promote the education of the community. The name given to burgh property was significant as signifying the purposes to which it was applicable; for the name by which it was legally and technically known was "the common good." He repeated that the education of the young had ever been regarded, and was now regarded, by the law of Scotland, as a "common good," to which the property of the community was legally applicable; and he would take leave to say further that any administrators of such property who were neglectful of education were neglectful of their legal duty. Burgh schools having their origin in the law to which he referred, and having, as he had stated, existed from the very earliest period—as far back as the institution of corporations and burghs—had so continued to the present time. The law upon the subject had, no doubt, been very largely evaded; but, nevertheless, in the greater number of the burghs of Scotland there was a burgh school, and in most of them some provision was made for the maintenance of the burgh schools out of the "common good" or corporation property of the burgh. As burgh schools were included in the provisions of this Bill, he might perhaps be permitted to make a few further observations in respect to them. They were not rate-supported. They were maintained partly by the contributions from the burgh funds—which, however, were very small—and partly and chiefly by fees paid by the pupils who attended them. In almost all of them—indeed, he believed with only two exceptions, the High School in Edinburgh and the Aberdeen Academy—elementary education was provided, commencing even with the learning of the alphabet. In most of them also instruction was given in the higher branches of knowledge; so that pupils were prepared to proceed even to the Universities. In fact, they constituted a connecting link between the parish schools and the Universities of Scotland. They were attended by children and young men of all classes, from the lowest to the higher middle class, and in some burgh schools—or, the High School at Edinburgh being taken to be the chief representative—the children of the very highest classes of the country attended. They were important public institutions; the only public schools in which legal provision was made for education within burghs, for the system of parochial schools did not extend to burghs. These schools were under the management of the town councils; and, judging from the Report of the Commissioners on Education, the management had, upon the whole, been satisfactory.

He had now to bring under the notice of the House the existing state of the law of Scotland on the subject of education in the country districts. In parishes, the provision was made by means of parish schools. These schools were of very ancient origin. The law of Scotland made provision for education through the country generally, by a compulsory Act, so long ago as the 15th century. That Act imposed penalties upon all parishes which did not provide a suitable education for the children within their bounds. The first statute establishing parish schools—not upon precisely their present footing, but really establishing, or attempting to establish, a school in every parish—was the Act of 1633. The subsequent Act of 1696 placed the parish schools substantially upon the footing on which they now stood. The next statute was the Act of 1803, in the reign of George III.; and to complete the statement of the legislation on the subject, the last statute necessary to notice was passed in the year 1861. The parish schools, the House would be good enough to understand, were public rate-supported schools—the legal provision for their establishment and maintenance was a rating of landed property in the parishes, with a relief to the heritors to the extent of one-half from their tenants. The management of these schools was, down to the year 1803, when the statute of George III. was passed, in the rated body—that is to say, those liable to rates for educational purposes had a share in the management of the schools. By the statute of 1803, the managing body was decreased in number by a provision requiring that those admitted to the management should be possessed of a certain specified rental, though prior to that all who contributed to the support of the school had a voice in the management.

Now, in order to put the House satisfactorily in possession of the condition of those schools at the present time, it was necessary he should explain the area of rating or assessment for their support. This rendered it necessary to explain an expression frequently heard in the discussions on Scotch education—he alluded to the expression "valued rent." That had become a technical expression, having a technical meaning. Originally, it had no other meaning than the words express; it signified the real value or rent of every man's estate. But the valuations in Scotland were somewhat numerous at first, but had subsequently been discontinued, or renewed after a very long lapse of years. The first valuation of which they had any account was in 1280, the next in 1327. It was doubtful if there was any revision of this last in 1365; but there certainly was in 1424. The next notice they had of a valuation of the lands in Scotland was that in the time of the Usurpation. In the year 1656 the land tax was imposed upon the landed proprietors according to the value of their estates; and there was some reason to suppose that there was at that time a revision of the valuation. In the year 1667 there was another law imposing the land tax in Scotland, which required that it should be imposed according to the former valuation, where equal and just, with power to the Commissioners to rectify it where they considered rectification necessary. He believed there was no rectification at all;

and the rolls made out with a view to the revision of the land tax under the law of 1667 had continued in operation for the collection of the tax ever since, the estates which were entered in the year 1667 standing there still at the value or rents originally set down. So in process of time the valuations entered in the rolls came to be called the "valued rent" of the land. It was hardly necessary to say that these could not in the present day be regarded as anything approaching a just valuation of the lands. In the first place, the rolls did not include all the lands in Scotland, because there had been parts of estates sold, and the "valued rents" not divided, although there was provision made for division as between the different proprietors; and the result was that a large amount of the landed property in Scotland was not on the rolls, or, to express it technically, was not "valued rented" at all. Nevertheless, the valuation contained in that roll—the "stent" roll as it is called—had continued down to the present day from considerations of convenience, and, in order to avoid expense and the other unpleasant incidents of re-valuation, it had been adopted as the rule for the imposition of a great variety of assessments under the local taxation system. It had not been adopted upon any other principle or from any other consideration that he was aware of. This state of things continued with respect to a great variety of taxes down to the year 1854, and continued now with respect to the assessments for the maintenance of the schools, churches, manses, and other matters subject to parochial taxation of that kind. In the year 1696, when the statute was passed placing parish schools upon their present footing, the heritors were directed to assess themselves according to their "valued rent"—that is to say, according to the rental value of their respective properties; and the ancient valuation was taken as the rule, and had unfortunately continued to be the rule of assessment from that time to the present. So, as he had said, the term "valued rent" had acquired a technical meaning; the result being that only those proprietors whose estates were upon the stent roll were subject to the assessment for the purposes of education, although undoubtedly it was a tax intended to be imposed upon all, the principle being equal contributions for the common benefit. As it was, however, those only contributed whose estates happened to be upon the ancient roll for the land tax. The inequality of its operation was illustrated in every county and district. He had obtained some Returns for the purpose of enabling him to judge of the unequal operation of the assessments imposed according to this antiquated roll, and he would mention one or two instances which might be taken as fair specimens of the whole. In the county of Forfar were two estates, one of the real value of £670, and the other of the real value of £345, yet each paid the same amount of rate, the "valued rent" of each estate, according to the old valuation roll, being the same. In the county of Perth were three estates—the first of the rental of £490, the second having a rental of £734, and the third a rental of £800; yet all paid the same amount of rate, the "valued rent" of these estates, which are of so different values now, being originally the same. In the county of Dumfries, again, were two estates—respectively of the rental of £551 and £3,823, which paid within a fraction the same amount of rate, the valued rent of the two being the same. In the county of Aberdeen, one estate, with a rental of £455, paid the same rate substantially as another estate with a rental of £964. In the Stewartry of Kirkcudbright were three estates noted—of the respective rentals of £126, £239, and £405; but they are all rated at the same amount within a trifle, that which was rated highest being the estate of £126 a year. That seemed an altogether unjust, inequitable system, and the marvel must be that it should have been permitted to last so long. He had mentioned that by the Act of 1803 the number of the managing body had been reduced by a provision to the effect that only those heritors whose estates were valued at not less than £100 Scots should have a voice in the management of the schools. The operation of that provision was also very capricious. In the Stewartry of Kirkcudbright there was an instance where the proprietor of a real rental of £405 a year had no voice in the management, because his ancient valuation was under £100 Scots; while another proprietor, with a rental of £126, had a share in the management because his estate was valued at over £100 Scots. In Dumfries a proprietor with a rental of £563 had no share in the school management, while another with a rental of £350 had. As he had endeavoured to explain, while the rating or assessment for the support of parish schools was confined to those heritors whose estates were on the stent roll, they had a reasonable claim to have the management of the schools in their own hands. But if they were to have anything worthy of the name of a national system of education, it was impossible that this ancient rule of rating should be continued.

He would now proceed to state to the House the extent to which the parish schools—supported by the rates imposed upon "the valued rented" heritors, and which are managed by a select number of their own body, in conjunction with the parish ministers—contribute to the education of Scotland. In the whole country there are on the rolls of the schools 424,360 children. He had taken the numbers with respect to the country districts—that was to the whole country, excluding the 17 larger towns—from the Report of the Commissioners; but he had been under the necessity of making an estimate of the number attending in the towns, there being no precise statistics which enabled him to make a statement with perfect confidence. That number he estimated at 88,183, leaving a balance of 336,177 in the country schools. Speaking with accuracy from the statistical information given by the Commissioners there were on the roll of country schools 312,795 scholars. Now, there ought to be educational provision in Scotland for about 500,000 or rather more than 500,000 children. There were upon the rolls of all the schools taken together, 424,360, leaving a deficiency, according to the Report of the Commissioners upon Education, of children not on the roll of any school of 75,640. Now, it was necessary that provision should be made by law, if they were to have an efficient system of education at all, and nothing was to be left to chance or charity, for the education of all the children in Scotland. He did not mean to say that schools were to be provided for all that number of children; but that the State must take cognizance of the number requiring education, and must provide for those not already provided for. Of course, the existing parish schools, which had been reported upon by the Education Commissioners, must form part of any national system; but the question they had to consider was, whether they could, with any propriety, be dealt with separately, and maintained as distinct schools upon their present footing, or something resembling their present footing, the new schools being under a different system of maintenance and management, or whether it would not be more satisfactory, and more conducive to the end in view, to institute one efficient system of maintenance and management for all the schools which are to be denominated public, and of which the law was to take cognizance? For his own part, he had never seen any advantage likely to arise from the double system. It was therefore intended that there should be no distinction. The new schools and the old schools would be of the same character, and there could be no reason why they should be differently managed or maintained. That being so—if they were to have only one system for all the schools which were to be provided under the national system, and which must necessarily be much more numerous than those which existed at present, he had to consider further whether the system he had described as existing with reference to the existing parish schools was such that it could be adopted as the one system of management for all the schools to be provided. He owned that without difficulty or hesitation he had arrived at the conclusion that it would be impossible, and certainly impolitic, to impose the rates necessary for the support of the schools upon a certain class of heritors only, and according to a valuation so capricious as that which he had explained; nor could he see any good reason in support of the proposition that the management of the schools should be vested in a select number of the valued rent heritors. He had, therefore, to propose to the House — and the measure which he was now asking leave to introduce contained a provision to that effect—to extend the area of rating for the support of the public schools to all lands and heritages whatsoever, to abolish the valued rent as the rule of rating, and substitute for it the real rent—so that the proprietors and heritors, without exception, should contribute to promote the education of the country according to the actual value of their possessions. There was no reason now, nor had there been since 1854, for having recourse to the valuation roll, because in that year an Act was passed in which the actual valuation was made up of the whole of the lands and heritages in the country. The proposal, therefore, he had to submit on this subject of the area of rating was, that it should extend to all lands and heritages, and that the rule should be the real valuation—thus bringing the whole within the operation of the rate assessment. In that case there could be no longer any reason for confining the management to the heritors, or to a select number of their body. The real idea of the Scotch Legislature was to impose the rate on all, and to give the vote to all who paid the rate. How it came to be modified he had explained. He was now only recurring to the ancient principles of the law in giving a voice in the management to all who contributed to the rate. Of course, such a body would be far too numerous to be practicable as a managing body; but there was a way of reducing them, that was approved by modern experience, and that was to make the ratepayers electors, and enable them to elect a managing body; and accordingly the provisions of the Bill in respect to the managing body was, that the ratepayers in each parish or district should elect the school Board in the same manner, substantially as was provided for in the English Act. This applied not only to parishes in rural districts, but to all burghs. Indeed, the greatest destitution in the means of education, according to the Report of the Commissioners, was in the burghs. There was comparatively little destitution in the parishes, and none that called for any special remark in the Lowland parishes. There was greater destitution in country districts in the Highlands, and the greatest of all in the large towns. The Bill proposed that in every burgh there should be a school Board elected by the ratepayers—the rate again being assessed upon the occupiers of all lands and heritages, and the rule of assessment under the Poor Law being taken substantially as the assessment for that of the school-rate. With a view to save the expense of a double assessment and double collection the school rate would be added to the poor rate, assessed upon the same data and collected at the same time. The duties of the school Board would be to ascertain, each Board in its own parish or burgh, the educational requirements of the parish or burgh, the existing supply of education; and to determine whether any, and if so, what aid was necessary. Of course, the school Board was to supersede the existing managing bodies of public schools—they came in place of the managers and heritors in parishes and burghs. In their hands would rest the selection of the masters of the schools, and they would have the general charge of the educational requirements, and the provisions to be made for them in the various districts. In the Bill that was laid before the Parliament and indeed passed this House, in 1869—in that Bill, after it came down from the House of Lords, provision was made for a temporary Board in Edinburgh, with a view to set the machine in motion. It was not proposed by that Bill that the Parliamentary grant should be handed over to the Board in Edinburgh, or should be administered otherwise than hitherto by a Department of the Government directly and immediately responsible to Parliament. The share of the Parliamentary grant which Scotland now received was £80,000 a year. Under the present measure, if it became law, that grant would be largely increased—indeed by several-fold. He would not indulge in any expectation that the administration of so large a sum would be handed over to any permanent Board to be constituted in Scotland, or removed from the Department of the Government hitherto entrusted with that duty, and immediately and directly responsible to Parliament for it; but it was undoubtedly well worthy consideration, whether the example set by the provision of the Bill of 1869, to establish a Board in Scotland for the period of three years, in order to set the new system going, and determine where new schools were wanted, and the particular situation in which they ought to be established, ought not to be followed. He confessed he was not himself partial to a temporary Board. He should have the greatest possible difficulty in agreeing to it—a difficulty which was strongly felt in 1869, in proposing a satisfactory constitution for such a Board; and it was to be considered whether it was really necessary to the attainment of the end in view, or whether a Department to be constituted with a view to education in Scotland would not be able to exercise efficient supervision and control over the local school Boards, so as to see that, on the one hand, they did not neglect their duties, or, on the other, that they did not exceed them. By the provisions of the Bill, the duty of determining, in the first instance, whether any, and what additional provision was required, and how it ought to be supplied, was laid upon the school Boards. Now, surely, all that remained to be done, in addition to that, by any sensible body was to see that they were attentive, and not negligent or perfunctory in the performance of their duties; and that they were not extravagant nor yet over-parsimonious.

Now, the proposal which he had to submit to the House was, that Her Majesty should appoint a Committee of the Privy Council for Education in Scotland, and that that Committee, which in the Bill was denominated the Scotch Education Department, should have, as a Government Department necessarily must have, the administration of the Parliamentary Grant; and that they should also exercise that supervision and control over the local Boards to which I have referred as necessary. Provision was accordingly made for the discharge of those duties by the Department, which would be found defined in the interpretation clause. These were the main provisions of the Bill which he now laid on the Table. He abstained from entering into the details, which would be more satisfactorily communicated by the circulation of the Bill itself. The idea on which the measure was based was, as the House would perceive, this—We take the existing provisions of the law of Scotland on the subject of education in the parish schools and burgh schools as the foundation. The burgh schools had no aid from rates at present, and where they were insufficient to meet the educational requirements of the burgh in which they existed, there was no legal provision for extending their parochial system into burghs. The consequence was strikingly manifested in the case of Glasgow. There, there were 291 schools altogether, a very large proportion of them being indifferent, and a considerable proportion of them altogether bad; but of the 291, only one of them is a public school—the Burgh School of Glasgow. Therefore the parochial system had, in reality, to be extended, as it had not hitherto been, to the burghs. In so far as public schools were to be multiplied in rural parishes, the Bill made provision for that being done; and further for extending the system into burghs, but under the management of the school Board of each burgh. That had been done, not with the view of reducing the standard of the present burgh schools, which was generally above that of the elementary schools, but with the view of increasing the standard of the only public schools in Scotland providing for the secondary education of the people. The area of the rating being extended, the managing body was accordingly extended, but reduced to a convenient number in the manner provided by modern experience—namely, the electoral system.

He had omitted to state directly and distinctly—though it might have been implied—that any remaining connection between the public schools and the Church of Scotland was now entirely severed. Indeed, the only connection subsisting between them since 1861 was the presence of the parish minister on the board of management. He believed Presbyteries claimed the right of periodical visitation and examination; but the Royal Commissioners had reported that, in their opinion, their visitation was of no practical benefit to the schools. It was impossible that these schools could now have any communication with any particular Church, and accordingly the Bill provided that they should have no communication with any denomination whatsoever. He had said nothing on the subject of the religious difficulty—perhaps it had not been pressing so much on his mind, because, so far as he had been able to ascertain—and he had been at some pains in making inquiries in all directions on this subject—the religious difficulty had not, and never had, any practical existence in Scotland. There had never obtained, by any provision of law, a conscience clause in any public schools; nevertheless, they had always been conducted as if a very precise conscience clause had been in operation. He believed it to be a fact that in every parish school in Scotland — and he thought he might extend the statement to all Church schools (with the exception of the Episcopal and Roman Catholic)—in the Free Church, the United Presbyterian Church, and the Independent, the conscience clause was practically operative—that was to say, religion was taught in a certain specified part of the day, when those children whose parents desired them to attend might be instructed; but the secular teaching was so consecutive that the teaching of religion was no interruption to the education of any of the pupils. The fact was, that among the various denominations of Presbyterians there was really no preference on the part of the parents for any one school rather than another, because it happened to belong to a particular denomination. That statement was fully borne out by the Report of the Commissioners with respect to the whole country, with the exception of three districts, which they stated were in a worse condition, so far as education was concerned, than any other part of Scotland. The children belonging to the Established Church attended in great numbers the free schools and *vice versâ:* and he had had deputations of masters of parish schools and Free Church schools, who all concurred in saying that no religious difficulty was ever experienced.

He had further to state that provision was made in the Bill whereby the school Board of any parish or burgh might take over any existing school—that was to say, if they were satisfied that education would be promoted by taking over the particular school buildings, masters, and scholars, and placing it under their management; and then they would become public schools in all respects under the management of the Board, maintained and dealt with by them in precisely the same manner as the parish schools. The Grants, it was further provided, much in the terms of the Bill of 1869, might be given to all the existing schools conforming to the regulations under which alone a Grant was to be given; but there was a provision with respect to future schools of a denominational character—that a Grant should not be given unless, in the opinion of the Scotch Education Department, there were exceptional reasons for arriving at the conclusion that such a school was necessary in the particular locality in which it happened to be called into existence. He need hardly state that all schools under the operation of the Bill would be subjected to undenominational inspection. It was only necessary to refer quite generally to the Report of the Commissioners in order to determine the value of inspection. The percentage of good schools, as compared with the percentage of indifferent and bad schools, was very large; and nothing had surprised him more than to find the small extent to which at present advantage was taken of inspection. At present the inspection was denominational, and that led to wonderful anomalies and expenses—there were Church Inspectors, Free Church Inspectors, and Roman Catholic Inspectors, all travelling together to examine three or four schools in the same locality. Even with that denominational inspection, out of 1,133 parish, side, and Parliamentary schools in Scotland, only 337 submitted to inspection. The Commissioners stated that they were unable to account for that otherwise than by what they had been told, that many clergymen in the Church of Scotland had so great an aversion to Government inspection, or interference of any kind, that they were willing to sacrifice the Government Grant rather than submit to it. The provision contained in the Bill on this subject was similar to that contained in the English Bill. These were the principal provisions of the Bill which he asked the leave of the House to lay upon the Table. He did not flatter himself for one moment that the Bill would not be sharply criticized. He was not even sanguine that he had succeeded in realizing his own conception. That conception was large, for it proposed no less than this—to present to this House a comprehensive and efficient scheme of national education, thoroughly national and entirely undenominational; such a scheme as, according to the best of his belief and judgment, the country for which it was designed was prepared to accept, and which he hoped Parliament would sanction.

MR. GORDON said, it could not be expected that the proposals of the Bill could be discussed at any length on this occasion. He should therefore content himself with observing that the measure, as described by the Lord Advocate, contained some proposals which were certainly new, and had not been contained in any of the former Bills; and which were at variance with the unanimous recommendations of the Commissioners—men of all parties and all Churches—who were appointed to inquire into the subject of Scotch education. At the same time, he would refrain from expressing strong opinions on the subject until he had read the Bill. So far as regarded the schools he should be most happy to assist in any way for the purpose of securing a better remuneration to the teachers engaged in education; but he did not exactly understand from what source the funds were to come, and it would give him great pleasure to do anything to effect an improvement in the condition of the burgh schools. With regard to the parochial schools, it was now proposed that they should be entirely "disestablished"—disconnected from the Established Church. That was a proposition which certainly had not received the concurrence of any of the Commissioners, with the exception of one, and he qualified his opinion. What the Commissioners suggested was, that the parochial schools should be continued upon their present footing. Now he (Mr. Gordon) would go further, and would have the management extended, if the Government chose so to term it, liberalized. His feeling was strongly against destroying those schools, which had done admirable service to the cause of education in Scotland, and which had been the object of envy and admiration amongst all nations; and he regretted exceedingly that it should be thought necessary, with a view to carry through what was called a national system of education, to abolish those schools, and place them entirely in the position of the new schools. Those schools had been successful, and the schoolmasters were exceedingly anxious that they should be preserved, if it were only as standards up to which the new schools should attempt to raise themselves. He must say that he considered that this subject was well deserving of reflection and consideration so as to determine the propriety of discontinuing them, after having rendered so much useful service to the cause of education. There was another proposition contained in the Bill completely at variance with the views of the Commissioners, as well as with the Bill of 1869. It was a point which would excite a good deal of attention in Scotland.

Mr. Gordon

There was to be no School Board for the management of schools there. Now, if there was one question more than another as to which the people of Scotland were jealous, it was that their schools should be under the management of a Scotch Board, and not under the management of the Privy Council. The Privy Council was, no doubt, entitled to great consideration; but there was a material difference in the system of education which was proposed for Scotland and that which was now about to be given for the first time to England. The parish schools in Scotland had hitherto combined both the position of elementary and secondary schools, and had been of the greatest service as affording a means of enlightened and liberal education to those who evinced abilities which rendered such education useful; and he could give no better illustration of this than by stating that something like 60 per cent of the students who present themselves at the Universities of Scotland had been educated at the parish schools. Those schools, therefore, fulfilled a purpose in Scotland which was not expected of the elementary schools in England. It was therefore most desirable that they should not be linked to the Privy Council, which had to deal with the elementary education of England, and which had not hitherto been called upon to deal with such a system as that to be proposed for Scotland. This, he thought, was a matter with regard to which there was a very strong feeling in Scotland. It was possible that some provisions might be framed which would tend to soften the proposal made by his right hon. Friend; but until he had seen the Bill he could not speak as to that. When it was said they should not have an Education Board in Scotland, had not Ireland its Board of Education? Why, then, should not Scotland have one also, for the purpose of managing a system entirely different in its principle from that which existed in England? The Lord Advocate was quite right in stating that the religious difficulty did not exist in Scotland. But why? Because, while the Church had the management of the schools in that country they conducted them on the most liberal terms; they instituted a conscience clause, and gave instructions to the schoolmasters that any child objecting to receive the religious teaching imparted in the parish schools should at once be relieved from attendance; and they had evidence from the Roman Catholic priests and others that they were so satisfied that no attempt was made at proselytism that they freely permitted the children of their creed to attend the parish schools. It was therefore quite right that it should be understood there was no religious difficulty. But then he had not found that the Lord Advocate in his statement admitted any recognition of religion. It was proposed practically to abolish the parish schools. In those schools there had been a "use and wont" of religious instruction as contained in the Shorter Catechism and the Bible; and that had not been objected to by any person, as his right hon. Friend had stated. They were going to create new schools without giving any recognition to the subject of religion. As far as teaching the Bible itself in the schools went, he knew there was a strong feeling in Scotland in its favour; and when they were legislating on the subject of education, were they prepared to ignore the general feeling on that subject? If the Catechism were abolished in the schools, let not the Bible be excluded from them. Let them not be deterred from recognizing the Bible by any idea that they were establishing religion by doing so. He should regret if they could not find a concurrence of opinion among different religious denominations that the Bible should be taught in the schools. The difficulty was not to be got rid of by sending it to the Parochial Board to be decided, because the Parochial Board was just as much the State power as that House itself. If the parish schools were to be abolished, where an admirable system of religious teaching had been carried on without the least injury to the consciences of those attending them, it was most important that the people of Scotland should consider whether in the new system that was to be introduced they did not wish that there should be some recognition of religion. He was not arguing for sectarian or denominational education in Scotland, but only for the great principle that the Bible should be taught in the schools, and he was surprised to find that no reference had been made to so important a matter. In conclusion, he trusted that when he saw the Bill there might be in it some provision that would obviate some of the objections he had indicated, and it would be his endeavour to do everything in his power to expedite the passing of a measure to settle the question of education in Scotland.

DR. LYON PLAYFAIR said: I do not like to pass over the introduction of such a large and obviously carefully-considered measure for reforming our system of national education in Scotland without some general expression of appreciation. But I have a lively remembrance of the chorus of applause which greeted the Vice President of the Council when he introduced his English Bill last year, and the opposition which it afterwards excited from the very men who had applauded it at the outset. I would, therefore, speak with full reserve as to the conclusions which may arise in my mind on a deliberate consideration of the provisions of the Bill, for my right hon. Friend has kept his counsel so well that I do not think any independent Scotch Members had the slightest idea what was to be the nature of his Bill until he spoke to-night. But I can have no hesitation in saying that I think he has grappled with the difficulties of the subject boldly and with knowledge. In one respect the Bill differs from its numerous predecessors, in dealing with burgh schools as well as with primary schools, and, in this respect, I can have no hesitation in expressing a warm approval. It is difficult for Englishmen to grasp the difference between the Scotch and English system of schools; for, until last year, there was no true national system of education in England, while Scotland has enjoyed that blessing for several centuries. Our religious reformers extended the system which existed in practice at their time, and recommended a chain of schools, beginning with the primary, passing through secondary grammar schools, then through preparatory colleges professing the usual *trivium* of the dead languages, logic, and natural philosophy, until finally the platform of the national Universities should be reached. The scheme was only partially carried out, the colleges never having been organized; but the secondary or burgh schools exist in every Royal, municipal, and Parliamentary burgh in Scotland, with the exception of three small ones. Most of these—indeed, all but two—have lower primary schools attached to their secondary schools.

These burgh schools furnish 42 per cent of the students of the Universities, while the parochial primary schools, which still give secondary education in a less organized way than the burgh schools, yield the chief part of the remaining 58 per cent of students. Primary and secondary education are thus so thoroughly ingrained in Scotland that you cannot deal with them separately, nor would Scotchmen give one farthing for a system of national education in which they were separated. The great Napoleon used to say that every soldier carried his Marshal's baton in his knapsack; so every Scotch peasant, when he goes to school, carries in his satchel a minister's gown, or other emblem of a learned profession, and it is his own fault if he lose it. I congratulate the Lord Advocate on having maintained this inherent difference between the education of the Scotch and English people by having, for the first time, provided for it in one measure. I have a little regret that he has taken those schools from the management of the town councils, who have done their duty well by them. This course was, perhaps, unavoidable. Certainly, in a money point of view, they contribute only slightly to their maintenance, for of the £50,000 which these schools cost annually, £42,000 are derived from fees, and £3,000 from endowments. Whether he has done wisely in not having a National Board of Education to preserve these peculiarities is a serious question, and one upon which I desire entirely to reserve my opinion, not only till I study the Bill, but also till I see the Revised Code from the Education Department. I think the Bill is wise in retaining as a burden on the land the present amount of between £40,000 and £50,000 expended on the parochial schools. But, in doing so, it was right to render their management more popular. The educational management of these schools was, in reality, a popular one, vested in all heritors till 1803, when it was unwisely restricted to large landowners. No scheme could be satisfactory that did not restore their popular character, and open up the management of these schools to all who are interested in their maintenance. My right hon. and learned Friend the Member for the University of Glasgow (Mr. Gordon) is wrong in saying that the Lord Advocate proposes to abolish parochial schools. On the contrary, as I understand him, he only proposes to develop and extend them by the aid of a larger area of taxation. With regard to the plan for creating new schools, and adopting the existing denominational ones, it is unnecessary at present to express an opinion. The question which has wrecked all previous Scotch Education Bills in Parliament has not been the religious, but the ecclesiastical difficulty. There is positively no religious difficulty worth speaking of in Scotland. When you have a whole nation, with few exceptions, worshipping in a common faith, and even in a common ceremonial—separated into sections not by questions of doctrine, but only of Church polity—surely, it will be a scandal to my country if this Bill be again wrecked on shoals of ecclesiastical jealousies. In the progress of this Bill, there will be no discussions, such as those of last year, upon conscience clauses. These have been long in operation by custom, most efficiently preserved in all schools in Scotland, and there will be no objection to give them a legislative sanction. The real fight will be as to how far the different Churches are to superintend the common religious instruction of the schools. One Church, indeed—the United Presbyterian, supposed to contain about a fifth of the people of Scotland—are of opinion that religion should not be superintended or paid for by the State in any way, and, in fact, desire that it should be relegated to the parent and the minister; but this is by no means the general opinion of the Scotch Churches, which would desire to see religion an integral part of school education, under effective inspection and supervision, if not by the State, by the authorities of the Church. Yet if, with a common religious faith, the Churches cannot come to some agreement as to how they can mutually assist each other and the school Board in the religious upbringing of the youth of Scotland, then this House and the country will, no doubt, think that the Churches value more their slight ecclesiastical differences than the religious and social welfare of the people committed to their charge. A truly national system of education ought to be much more easily attainable in Scotland than in any other part of the United Kingdom; and, if it were not for our past unhappy experience, every one would congratulate my right hon. Friend in his honest endeavours to settle this question. The right hon. and learned Member for the University of Glasgow complains that the Lord Advocate ignores religious instruction in the schools. I apprehend that he entirely mistakes the tenour of his observations. What I understood was that he relies on the spirit of the Scotch people, as represented by the school Boards, and he knows, as we all know, that the wish of the people is that there should be religious education in the school. He did not mention a single religious inability, such as we find in the English measure, and thinks we may safely leave this question to the people of Scotland. For myself, as a lover of education, I can promise to give a careful and impartial consideration to his measure, in the hope of being able to give to it a general support.

Lord ROBERT MONTAGU wished to be informed whether there was any limitation on the election of the school Boards, or any qualification of the electors required? As the right hon. and learned Gentleman was doubtless aware, the masters of the parish schools in Scotland were in many cases Masters of Arts—men who had taken their degree, and who occupied a high social position, and it would not be right that they should be overruled by school Boards composed of members of less learning and an inferior social position to themselves. He should, therefore, be glad to know what provision had been made respecting the qualification of the electors. He further wished to know whether the school Boards, which, as had already been pointed out, would be elected chiefly by Presbyterians, were to have the power of forcing the children of Episcopalians and of Roman Catholics to attend religious instruction to which their parents might object; and whether schools which professed the doctrines of the latter denomination would still receive some support from the State? He asked these questions not only for his own information, but also for that of the country, in order to prevent the intention of the measure from being misunderstood.

Mr. ANDERSON said, he should reserve the remarks he would otherwise have made upon the able statement of the Lord Advocate until he had an opportunity of becoming acquainted with the details of the measure through the medium of the Bill itself. He could not, however, refrain from saying that there were one or two points in the right hon. and learned Gentleman's scheme which he (Mr. Anderson) was afraid would give considerable dissatisfaction. One of them was the relegation of the control of the local school Boards to a department of the Privy Council in London. He was sure that that proposal would be received with the greatest disfavour in Scotland; and, unless it was found when they came to look at the Bill that the proposition would be more advantageous to Scotland than had appeared from the speech of the right hon. and learned Gentleman, he did not think that it would be approved of. With regard to the question of compulsion, he had hoped that the Lord Advocate would have moved a little further. He (Mr. Anderson) was quite convinced that they were ripe for a more complete measure in that direction than had been obtained in the English compulsory clause. Had the Lord Advocate proposed to go beyond that he (Mr. Anderson) believed he would have carried it, and the people of Scotland would have been grateful for the boon. As regarded the religious difficulty, he would only say that, while he quite agreed with previous speakers that it had hitherto not been a great practical difficulty in the schools themselves, there was undoubtedly in the country a very strong party who would demand that catechisms and formularies should be excluded from all rate-aided schools. That being the case, he did not see how it would be possible to exclude from the Bill all notice of the religious question.

Sir EDWARD COLEBROOKE said, he rose only to make an appeal to Her Majesty's Government to press the further stages of the Bill at an early date, so that its provisions could be fairly and fully discussed. It was chiefly owing to the fact that it had been brought in at so late a period of the Session that the measure on the same subject which had been introduced two Sessions ago by the predecessor in Office of the right hon. and learned Gentleman had been lost. He thought the jealousy likely to arise from the control of the school Boards being placed in the Privy Council in London would vanish when the large and liberal scope of the measure came to be properly understood. Upon the question of the religious difficulty he thought good counsel must be taken in order to avoid the numerous pitfalls that beset all attempts to deal with the question. The right hon. and learned Gentleman appeared to have forgotten that the Roman Catholics formed a large proportion of the population in some districts in Scotland, and were opposed to the religious principles held by the great body of the community. His predecessor had been prepared to allow separate Grants to their schools; but his right hon. and learned Friend had not stated whether he proposed by his Bill to allow similar Grants.

The LORD ADVOCATE said, that he was prepared to allow Grants to such schools.

Sir EDWARD COLEBROOKE said, that in that case many of the difficulties in carrying out the Bill would be removed. He foresaw that the question of giving such large powers to local Boards would be regarded with great jealousy; but, at the same time, he felt bound to offer his congratulations to the right hon. and learned Gentleman for the ability with which he had introduced the measure, and pledged himself to give it a general support.

Mr. CARNEGIE said, he desired to draw attention to the question of the dismissal and superannuation of schoolmasters.

Sir JOHN HAY observed that any person acquainted with Scotland must know how much the working classes in the rural parishes desired to see their clergymen have a voice in the education of their children. As it was, however, possible that in some cases the clergymen might be excluded by the popular vote, he should be glad to see some provision by which the clergymen connected *ex officio* with parish schools should have a seat at the school Board.

Mr. MACFIE joined in thanking the Government, and in particular the right hon. and learned Gentleman the Lord Advocate, for bringing in this Bill, and doing it thus early in the Session. He was sure that the proposition for a Scotch Committee of Privy Council would excite in Scotland a feeling almost of indignation. The Scotch liked Boards—Boards constituted of numerous members and meeting in presence of reporters—not Committees, that were not really Committees, nor did not act as such, but were in fact the Chairman. He would like to know who the Chairman of this proposed Committee was to be? Was he to be a Scotchman? Were the Committee to be Scotchmen? If so, they would no doubt work, and not let themselves be ignored by their Chairman. But there should be a Board—one meeting in Edinburgh. It was cruel to bring all the way up to London parties who might have business to do with the Committee or Board. He was in favour of undenominational unsectarian education. All the more did he set a high value on the character of the teachers. They should be men of piety and religious character. He hoped some means would be adopted—some provisions be contained in the Bill—to ensure that the religious character which hitherto Scotch schoolmasters had borne would be maintained. He also trusted some means would be presented for maintaining their connection with the Universities. The tendency of such teachers was to raise the standard at which their scholars aimed, and to which they would be brought. The recognition and extension of burgh schools was an excellent feature of the Bill. Such schools, brought under a Scotch Board, would become patterns which English educationists would imitate. On that account, also, he pleaded for the management of the Scotch schools being left to be carried out in Scotland according to Scotch ways.

Mr. DIXON desired to enter his emphatic protest against what he could not help conceiving was a breach of that principle which ought, on all occasions, to be supported by the present Government—a principle, however, which was violated in the Education Bill of 1870, which was now to be violated in the Bill brought forward for Scotland, and, in all probability, would be violated in the consideration of the measure which should be applied to Ireland—by the especial favour shewn to the Roman Catholics. He thought that the measure as at present framed would give great dissatisfaction throughout the country.

The LORD ADVOCATE, in reply to the questions of the noble Lord (Lord R. Montagu), said, that the only qualifications required for the school Board was that the persons elected and the electors should be ratepayers. The noble Lord had asked, secondly, whether, under the provisions of the Bill, any child could be compelled to attend religious instruction, though such religious instruction were distasteful to its parents or its guardians. The answer was, that the provisions on that subject were in accordance with those of the English Bill; and under these provisions no child whatever could be compelled to attend religious teaching against the wishes of its parents or guardians. There was a provision in this Bill, as in the English Bill, that parents might select the school at which to place their children. The noble Lord had also assumed that, hereafter, under that portion of the Bill, no school would be allowed to participate in the Grant if it did not put itself under the school Board. That, however, was not so. He also desired to inform the hon. Member for Birmingham (Mr. Dixon) that there was no exceptional treatment accorded to the Roman Catholics. It was, perhaps, unnecessary for him to say anything on the subject, but he wished to assure hon. Members that nothing that had fallen from him would warrant the impression that it was intended to destroy the efficacy of parish schools.

Motion *agreed to.*

Bill to amend and extend the provisions of the Law of Scotland on the subject of Education, *ordered* to be brought in by The LORD ADVOCATE, Mr. Secretary BRUCE, and Mr. WILLIAM EDWARD FORSTER.

Bill *presented,* and read the first time. [Bill 17.]

VACCINATION ACT (1867).

MOTION FOR A SELECT COMMITTEE.

MR. W. E. FORSTER, in rising to move "That a Select Committee be appointed to inquire into the operation of the Vaccination Act (1867), and to report whether such Act should be amended," said, that he made this Motion in compliance with the statement made by the Home Secretary towards the end of last Session, when a Bill was brought in by the hon. Member for Sunderland (Mr. Candlish), to relax the stringent punishments inflicted by the refusal to permit vaccination. The feeling of the House on this subject was such that there was little chance that his hon. Friend would be able to carry his Bill; but it was also felt that it was desirable to remove, if possible, the objections which existed in the minds of some persons against vaccination. He did not imagine that the hon. Member for Sunderland (Mr. Candlish) more than any other Member of the House had the slightest doubt of the utility and necessity of vaccination, and that it was necessary not only to encourage it, but to make it compulsory. Opposition to such views were not heard in that House; but it was to be found, he was sorry to say, among certain persons in this country who had indeed carried their resistance to an extent that had been injurious to health and destructive to life. They must have forgotten the state of the country and the civilized community before vaccination was introduced. During thirty years before the introduction of vaccination there were on an average 3,000 deaths from small-pox per annum in every million of the population, while between 1854 and 1865 they were reduced to an average of 202 per million. In Berlin the statistics were still more conclusive—owing, probably, to the great care taken in Prussian administration—for in that city the decrease was from 3,422 to 176. Again, in the Smallpox Hospital, where all the nurses and the servants were invariably re-vaccinated on their appointment, the resident surgeon had not a single case on record during the last 34 years. He only mentioned these cases to show that the Government had not the slightest doubt not merely of the advantages and efficacy of vaccination, but of the necessity of having a law to enforce it. It would, no doubt, be pleasanter not to be compelled to have recourse to law to have it performed; but, unfortunately, they had to contend with opposition — the opposition of ignorance, and also, he was sorry to say, with the opposition arising from interested motives preying upon this ignorance; and, lastly, with the great neglect which arose purely from apathy. It was owing to those causes that a compulsory law was necessary, and statistics showed that the destructiveness of the disease increased or decreased accordingly as compulsion had or had not been enforced. In Scotland and Ireland, where they had been able to secure complete compulsion, the disease which at one time had been very prevalent, had been reduced to a minimum and was, indeed, hardly known; in those districts of England where, before vaccination was introduced, it had been fearfully destructive, it had now been greatly diminished; whilst, on the other hand, in those districts where the guardians had not enforced it, they were liable to frequent outbreaks. With these facts before them, it might be asked where was the necessity for a Committee? But he (Mr. Forster) was strongly of opinion that good results would follow from their labours. There were some persons in the country who entertained in their own minds a conscientious objection to vaccination, from a belief that it did their children harm; but he thought the evidence that would be brought before the Committee would tend to convince them of their error. At all events it was due to the feelings of those parents who objected to vaccination that further inquiry should be instituted, and he trusted the result would be that martyrs to the prejudice against vaccination would no longer be found. Another reason for the appointment of the Committee was that it was desirable to carry public opinion with the action of the law, and there were some cases in which the guardians wished to be strengthened in doing what appeared to many to be an arbitrary act. The Committee must take into consideration many suggestions which had been made in various parts of the country for rendering the Act more effectual than it was at present. The administration of the Act should likewise be inquired into; and he believed that when that was done it would be found that both the Privy Council and the Poor Law Board had done their utmost to prevent imperfect vaccination. It was their wish in no way to limit the scope of the inquiry, and he therefore proposed that the Committee should be empowered to take evidence with regard to the operation of the Act within Ireland and Scotland. He trusted that the inquiry would not only be full and complete, but that, in the interest of the public, they would feel it to be their duty to make their Report speedily, as it was desirable that there should be as little delay in the matter as possible.

Sir CHARLES ADDERLEY observed that the arguments urged by the right hon. Gentleman (Mr. Forster) in proof of the efficacy of the existing law in regard to vaccination had cut the ground from under his feet in asking for inquiry, for there could be no use in inquiring into a matter which was so well ascertained. Inquiry was good where there was anything to inquire about, but not where there was sound ground for action, and action was urgent. In such a case an inquiry was not only useless, it was positively mischievous; for nothing could be more dangerous than to profess a doubtfulness concerning a matter about which there was no doubt and which demanded only decision. The right hon. Gentleman, with a view to induce the House to acquiesce in the inquiry, had told them that there was ample evidence to show that where the law had been carried out small-pox had disappeared, and that nothing was wanted in England but strictly enforcing the law to secure similar immunity. And yet at the moment when the right hon. Gentleman brought forward this Motion for idle inquiry about vaccination, as a speculative remedy, the small-pox was raging in London. Instead of proposing an inquiry, those who believed that the law was right ought rather to express, and in action evince, their confidence in the results which it effected. He objected to the appointment of this Committee, moreover, because the subject had come within the scope of the inquiry entrusted to the Royal Sanitary Commission. That Commission had just taken evidence on the subject, expressed their opinion on it, and their Report would in a few days be in the hands of Members. Their opinion was that the law was complete, and required nothing but enforcing. They proposed better registration to insure its enforcement. It had been very imperfectly carried out in England; but in Ireland and Scotland it had been properly enforced, and with such complete success as to have nearly stamped out the small-pox. What was now really required was to empower the authorities to stimulate the responsible officers to enforce the existing Vaccination Acts. He thought that the reference of the question to a Select Committee was a most mischievous mode of shirking the responsibility of enforcing the law as it stands, and especially mischievous when the public had professed confidence in the mode already provided for meeting the present danger. The fact was that the Bill of the hon. Member for Sunderland (Mr. Candlish) at the close of last Session became—as so many Bills were still pressing at that period of the year—an embarrassment, and the right hon. Gentleman opposite in an unguarded moment had promised the hon. Member that if he would withdraw the Bill, though there was no chance of its passing, but only of its choking the way of others, there should be an inquiry. It was an innocent and perhaps defensible weakness at the moment; but he trusted that at the commencement of a Session so full of business the result of cooler and calmer reflection would be not to appoint such a Committee. If its appointment involved nothing more than the waste of the time of 15 hon. Gentlemen upstairs, he, for one, would offer no objection; but he believed that at a moment when an epidemic was raging in London, even the appearance of doubt, where confidence was what was chiefly necessary, would be so mischievous that, though he would not divide them on this question—the House having been taken by surprise, he should certainly do so on the nomination of the Committee.

MR. CANDLISH said, that the right hon. Gentleman who had just sat down (Sir Charles Adderley) argued against the Motion of his right hon. Friend on the ground that the existing law was satisfactory if it were only carried out. But that was exactly the weak point of the matter. The law was not now practically compulsory, and could not be carried out, and — arguing, therefore, the question from the right hon. Gentleman's own point of view—the law imposed penalty after penalty if vaccination were not performed. If a parent did not get his child vaccinated he might be summoned before a magistrate and fined 20*s.*; but the right hon. Gentleman knew very well that did not secure compliance with the law. There were cases in which the penalty had been repeated at least half-a-dozen times, and the child remained unvaccinated to the present day. Surely, then, the right hon. Gentleman, if he believed in the efficacy of vaccination, must be dissatisfied with the law. [SIR CHARLES ADDERLEY: With its administrators.] Well, then, would the right hon. Gentleman say how the administrators had the means of carrying out the law? The administrators had not the power to take the child out of the arms of the mother, and carry it directly to the operator, and until that power was given them the penalty was merely the legal price paid for the disregard of vaccination. The law as it stood was ineffective, and, notwithstanding, it was harsh and cruel upon some parents: let them try if it could not be improved. He believed that it could be made more tolerant in its operation, and, at the same time, more efficiently and successfully applied. If this Committee were not granted an amount of discontent would be generated in the country the consequences of which could not at present be foreseen. There was not a constituency in England in which there were not to be found a small number of intelligent and conscientious men who would be deeply grieved if the House should not grant this inquiry. The Committee of 1867 had for its object not to inquire into the effects of vaccination, but to deal with the clauses of a specific Bill. The question on its merits had never been referred to a Committee, and hence the weakness of the law at the present moment. He hoped, therefore, the right hon. Gentleman would forego his promised opposition.

MR. W. H. SMITH said, he joined in expressing the hope that his right hon. Friend (Sir Charles Adderley) would allow the Committee to be appointed. There was no matter that required more consideration than the operation of the vaccination laws in England. We had evidence that in Ireland they had been perfectly successful; but in various parts of London, which was now visited by a fearful scourge, the differences in the administration of the law were very great. In some parishes it had been carried out very successfully, while in others no vaccination inspectors had been appointed, and scarcely anything had been done to insure obedience to the law. He held in his hand a letter from the medical officer of the Hampstead Hospital stating that so far as he could judge in the metropolis there could be no doubt the disease was increasing both in extent and in the malignity of its effects. However that might be, there could be no doubt that a very large number of persons were suffering from small-pox who, if the law had been properly administered, ought not to be suffering from it at all. There was no doubt that small-pox was a disease which could be stamped out if proper means were used; but now, on account of the inefficiency of our laws and the inadequacy of their administration, we had to submit to a fearful scourge, and in a great panic make haste to found hospitals, spending thousands of pounds when hundreds would have sufficed in the first instance. It was in the hope that the appointment of the Committee would bring home responsibility to some one that he desired to see the Motion carried. In proof of the way in which vaccination was neglected, he would refer to a report by one of the Officers of Health in London. That report stated that, in a particular district, during 1869-70 there were 1,105 births registered, and that the successful vaccinations had been only 253. There was no officer appointed to carry out the Act in that district. During the ten years from 1856 to 1867 the births annually registered were, on an average, 1,287, and the successful vaccinations 962, or three-fourths of the whole births; but they fell in 1868 to 685, in 1869 to 445, and in 1870 to 253: so that the Act in a large part of London had been entirely neglected. The six months allowed to the registrar to prepare a list of persons whose births had been registered but whose certificates of vaccination had not been received by him was too long, considering the migratory habits of many of the people. He had been told on very high authority that a very large proportion of the population moved from parish to parish and district to district every three months, so that if the Act were attempted to be carried out by the proper authorities the people could not be found, and in this way it was calculated one-fourth of the children registered were removed with their parents before the registrar's list was completed, and so escaped the operation of the Act. In one parish he was aware that the officer appointed used to go to the registrar and obtain a list at an earlier date, in order that he might follow up the people, and the consequence was that he had succeeded in getting four-fifths of the children vaccinated without a single prosecution. It was said by those who took an interest in the matter that all that was wanted was direct responsibility and proper organization. But the tendency of legislation of late years had been to divide responsibility, so that no one could say, when mischief arose, to whom the blame ought to be brought home.

Dr. BREWER said, the question was whether a Committee ought to be appointed to inquire into the Vaccination Act. The reason why he thought such an inquiry as that which was now proposed would be useful was not because that House or the intelligent people of the country doubted the efficacy of vaccination when properly performed, but because in various classes, especially in large towns, not only was there doubt whether it was effectual as a preventive, but there was an exceedingly great fear that diseases even more to be dreaded than small-pox itself were conveyed by vaccine matter. It would be quite unwise of the House to ignore that opinion. He found it to prevail among the classes lately admitted to the small-pox hospitals, nor were these always the most ignorant, idle, or indigent of the population. Domestic servants, barmaids, men in similar employment, cabmen, 'busmen, and coachmen, gained admission to these hospitals, and were found unprotected by vaccination; and there were of every grade those who believed that vaccination was not simply no sure protection against small-pox, but the means of introducing serious diseases among the people. He was convinced that, if proper evidence was forthcoming, this fear would be dissipated, and therefore he believed that the House would do wisely and kindly by consenting to the appointment of this Committee. All that was necessary to improve the administration of vaccination, and to carry it more completely into the houses of poorer classes, was to instruct the poorer classes by such literature as would demonstrate to them the folly of the opposition which had been raised up in the large centres of population in this country against vaccination. He hoped there would be no opposition to the nomination of this Committee.

Lord ROBERT MONTAGU said, that as in 1867 the House had enabled him to pass the Compulsory Vaccination Bill, he might be allowed to say a few words on the subject. He thought the necessity of an inquiry had been proved by the debate. His right hon. Friend who opposed the Motion (Sir Charles Adderley) said that by granting a Committee of Inquiry the House would cast doubt upon a matter on which there was no doubt, and that the law of 1867 was complete; but the hon. Member for Sunderland (Mr. Candlish) said the law was not complete, because it was not compulsory. He hoped that inquiry would remove this difference of opinion. He thought his right hon. Friend could hardly have read the Motion: — it was for the appointment of a Committee to consider the operation of the Act of 1867, and to inquire whether it required improvement. That was a fair subject for inquiry. He had brought in the Act himself, and he admitted that it was not perfect. He would presently show where the imperfection lay. The fact that this subject had been already considered by a Commission was not a good argument against further inquiry. As much opposition to vaccination existed out-of-doors, it was advisable to inquire whether the law was efficient, and if it was not, then they could consider how it might be improved. The opposition in this country to vaccination had been promoted by persons who inundated the country with writings in which they said that vaccination was the cause of various diseases, and that it was not efficient to prevent small-pox; therefore it was good for the country that a Committee should be appointed in order that there might be an opportunity of inquiring into the truth of the allegations that had been made. He admitted that there was a fault in the law—a fault which he could not avoid when he had charge of the Bill. In Scotland and Ireland the compulsory Acts had been perfectly successful. In Scotland, before 1863, the average number of deaths by small-pox was 2,000; in two years after the passing of the Act the number was reduced to 123. Why, then, was the English Act not so successful? Where was the defect? He believed the reason why it was not successful in England was because registration of births was not compulsory. In Scotland, the registration of births was compulsory; there was, therefore, one list of the children that were born, and another list of the children that had been vaccinated, and, by comparing the two lists, any case of omission to vaccinate could at once be seen. But in England there was not a compulsory registration of births; the law went so far as to impose a fine on the registration of a birth within a certain period, which fine was escaped if the birth was not registered at all. In the case of typhus fever or scarlatina, we could make an epidemic less virulent; but vaccination was a certain specific against small-pox. He believed that, in every case, vaccination prevented small-pox. It was therefore most necessary to take every means to make the law most efficient.

DR. LYON PLAYFAIR said, the reason why he opposed inquiry last year was because he was afraid of doing anything to shake the confidence of the country in vaccination at a time when he knew a great epidemic was rolling over to this country from the Continent. In London, we were now in the midst of that wave, and it was there felt with the greatest severity; but it had not yet reached its summit, and he thought it had become very important to inquire why vaccination had not been so successful in England as in the two other parts of the United Kingdom. He hoped the right hon. Gentleman (Sir Charles Adderley) would withdraw his opposition to the Motion.

MR. W. E. FORSTER also appealed to the right hon. Gentleman to withdraw his opposition. As he had before said, the Government did not propose this Committee with the slightest doubt about the principle of vaccination, or the necessity of compulsory vaccination—and he need not say they had no intention of relaxing the operations of the law during the deliberations of the Committee. But they believed that with the present amount of information possessed by the public, suggestions might be made for amending the law; for making it more effective for removing, he trusted, some of the opposition to the law throughout the country, and, probably, for improving the administration of the law. For all these purposes he believed that a Committee at this time would be of great service.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the operation of the Vaccination Act (1867), and to report whether such Act should be amended."—(*Mr. William Edward Forster.*)

And, on February 16, Committee *nominated* as follows:—Mr. WILLIAM EDWARD FORSTER, Mr. STEPHEN CAVE, Mr. CANDLISH, Mr. WILLIAM HENRY SMITH, Mr. MUNTZ, Lord ROBERT MONTAGU, Mr. JACOB BRIGHT, Sir SMITH CHILD, Dr. LYON PLAYFAIR, Mr. HOLT, Mr. TAYLOR, Sir DOMINIC CORRIGAN, Dr. BREWER, Mr. Alderman CARTER, and Mr. HIBBERT:—Power to send for persons, papers, and records; Five to be the quorum.

MERCHANT SHIPPING BILL.

RESOLUTION. FIRST READING.

Considered in Committee.

(In the Committee.)

MR. CHICHESTER FORTESCUE, in moving that the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate and amend the Laws relating to Merchant Shipping and Navigation, said, he did not propose to trouble the House with any statement upon the merits of a Bill of that magnitude, and containing such a mass of details; but he had been anxious to introduce the Bill at a very early period, in order that a measure which must require so much time for examination even by those who were best acquainted with the subject should be as soon as possible in the hands of hon. Members. He intended to accompany the print of the Bill with a memorandum, which he hoped would be distributed in a few days, explaining the points in which the Bill would effect a change in the present law, and also the points in which it differed from the Bill introduced last year by his hon. Friend now the Under Secretary for the Home Department. He proposed to move the second reading in a few weeks, and on that occasion he would be ready to give any explanation that might be required. He need not say that it would be quite impossible to pass a Bill like this if details on numerous points were made the subject of contest in that House, or if hon. Gentlemen who were in favour of any great alteration in the present law which was not contained in the Bill were to insist on enforcing their views as against it. On the other hand, if they thought it would be a useful measure of consolidation and amendment he hoped they would give him their support in carrying it into law. No pains should be wanting on his part or on that of his Colleague, the Secretary of the Board of Trade, to facilitate the passing of the measure. He should be happy to confer with hon. Members upon any part of this Bill, which they might feel inclined to criticize or object to, and to meet them as far as his duty allowed. In that spirit, he trusted, it might be possible this year to pass the measure into law. The right hon. Gentleman concluded by moving the Resolution.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to consolidate and amend the Laws relating to Merchant Shipping and Navigation.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. CHICHESTER FORTESCUE and Mr. ARTHUR PEEL.

Bill *presented,* and read the first time. [Bill 15.]

SIR DENIS LE MARCHANT.

VOTE OF THANKS.

MR. GLADSTONE, in moving a Vote of Thanks to Sir Denis Le Marchant, Baronet, upon his resignation of the office of Clerk of the House, said—I rise to propose, in conformity with the past usage of this House, that we should express in a befitting manner to you, Mr. Speaker, as the proper organ of this House, our sense of the manner in which Sir Denis Le Marchant has discharged the duties of Clerk. Sir Denis Le Marchant is a very old public servant, numbering more than 40 years of work in offices all of which were arduous, and the latter part of which have been given to the service of this House—years that certainly have been very remarkable. I imagine that this House has very long enjoyed the honour of being the most laborious, by far, of all the Legislative Assemblies of the world, and, during all the period of the existence of this House, there have been none in which its labours have been more arduous or more unremitting than during the last 20 or 21 years. During the whole of that time Sir Denis Le Marchant has been the Principal Officer at the Table of this House, and every Gentleman who has had any experience of the proceedings in Parliament knows well, from his own observation, how exacting and exhaustive are the labours which the Clerks at the Table undergo, and how kindly and how thoroughly efficient is the assistance which every Member of the House receives at the Table on all occasions in the discharge of his duties. I, therefore, am quite sure that the House will be heartily disposed to join in the tribute which I now propose. It is right that I should also refer to that portion of the duty of the Principal Clerk at the Table which consists in the government of a portion of the large establishment attached, and necessarily attached, to this House for the performance of its varied duties. Though, perhaps, it is not easy for most of us to speak from personal experience of the merits of any particular officer in the discharge of functions such as these, it so happened that, during the time I held the office of Chancellor of the Exchequer, I had the opportunity of seeing something of Sir Denis Le Marchant in this capacity, and of learning from those who were most competent to judge how those functions had been discharged. And I believe that in that province—one undoubtedly of great moment to the good conduct of the business of this House—Sir Denis Le Marchant was distinguished by a fair and equitable spirit, and by his great desire to promote the efficiency of the establishment over which he presided by doing justice to all parties concerned. His resignation is undoubtedly matter of regret; it reminds us all of our transitory condition, and that we must submit to the law that governs us; but it is some consolation to be enabled to express a friendly regret, in the terms of a Motion such as this, at the separation when it comes.

COLONEL WILSON-PATTEN: I think it is due to an old officer of this House, who has performed public duties, as stated by my right hon. Friend opposite, for 40 years, of which 20 years have been spent in this House, that he should not pass from our service without the testimony borne to his character being conveyed to him from both sides of this House. I agree in every word which has been stated by my right hon. Friend opposite with regard to Sir Denis Le Marchant. One portion of his duties I am, perhaps, better able to speak of from personal observation and experience; I allude to those functions which my right hon. Friend mentioned in the latter part of his observations—the appointment of the officers of this House. I am quite sure that Members who have taken part in the Committees of this House must have been struck with the able manner in which the Clerks of this House performed their duties. All these were under the appointment of Sir Denis Le Marchant; and I think the manner in which these offices are filled, and in which their duties are performed, speaks highly for his soundness of judgment and discretion. My right hon. Friend has spoken of the courtesy which was always shown to Members of this House by Sir Denis Le Marchant. It is, of course, the duty of the Clerks at the Table to render every assistance they can to Members of this House in the performance of their duty to their constituents; but everything depends upon the manner in which this is done; and even in their presence, I will say that our thanks are due, not only to Sir Denis Le Marchant, but to those who have sat beside him for many years past, for the courteous manner in which they have rendered that assistence. I cordially agree in every compliment that has been paid to Sir Denis Le Marchant, and I heartily second the Vote that has been proposed.

Motion *agreed to.*

Resolved, *Nemine Contradicente*, That Mr. Speaker be requested to acquaint Sir Denis Le Marchant, baronet, that this House desires to express its sense of the manner in which he has uniformly discharged the duties of his important office during his long attendance in the service of this House.

NORWICH WRIT.

MR. GLYN *moved*—

"That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Citizen to serve in this present Parliament for the City of Norwich, in the room of Jacob Henry Tillett, esquire, whose Election has been determined to be void."

MR. D. DALRYMPLE rose for the purpose of making a very brief explanation in consequence of what occurred in this House last Session, when he took some pains to remove from the list of persons reported as being guilty of corruption a voter named Ray. He now confessed he was entirely taken in, and had he known that Ray was guilty of the shabby bribery now proved against him he certainly would not have said a word in his behalf. He thought, however, it was a grave defect in our election law that such men as Lacy and Ray should, in consequence of the lapse of time, be beyond the reach of the punishment which was inflicted on another briber who was most justly undergoing his punishment for the same offence at the same election. Lapse of time did not protect a Member, and he thought the same rule ought to be extended to all persons reported to the House as being guilty of bribery. He believed Ray was rightly taken out of the Schedule, as he was put into it for being concerned in the show of hands, and Mr. Justice Keating in his Report made no allusion to that subject.

MR. C. S. READ wished to know whether Her Majesty's Government intended to bring in a Bill for the disfranchisement of those Norwich voters who were reported by Mr. Justice Keating to have been guilty of bribery at the last election, and whether such persons would be entitled to record their votes at the next election?

Motion *agreed to.*

Ordered, That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Citizen to serve in this present Parliament for the City of Norwich, in the room of Jacob Henry Tillett, esquire, whose Election has been determined to be void.—(*Mr. Glyn.*)

UNION RATING (IRELAND) BILL.

LEAVE. FIRST READING.

MR. M'MAHON, in moving for leave to bring in a Bill to assimilate the Law for the relief of the poor in Ireland to that of England, by substituting Union Rating for the present system of Rating by Electoral Divisions, said, as he understood a Committee was to be appointed to inquire into the subject, he would not press the second reading of the Bill until after the Committee had reported.

LORD CLAUD HAMILTON said, that if the hon. and learned Gentleman had not made that announcement he should have felt it his duty to take the unusual course of opposing the introduction of the Bill, the only object of which was to relieve some rich men, landlords, and towns from certain burdens and spread them over the rural districts of Ireland, to the disadvantage of the enormous majority of the inhabitants. The hon. and learned Gentleman seemed to ignore the fact of the existence of the head of the Poor Law Board (who was a Member of the Cabinet), a Secretary to the Poor Law Board, and of a Chief Secretary for Ireland, and wished to take any alteration entirely out of their hands. He was quite satisfied that a full inquiry would prove that the hon. and learned Gentleman was quite in the wrong. It was a great mistake to speak of there having been any assimilation of the Irish to the English system, for the former carefully avoided all the errors of the latter; and the introduction of Union rating would not assimilate the two systems. When a question had been submitted to and decided by a Committee of the House, as this question had been, the House ought not hastily to overturn the decision of that Committee. The inquiry was made in 1861; there was a division in the Committee on this question; the voting was 10 to 3; and the names of the 10 showed that this was not a party question, for they were Mr. Monsell, Mr. H. Herbert, Mr. John Browne, Mr. George, Mr. Gregory, Sir Edward Grogan, Lord Naas, Mr. Quin, Mr. Cogan, and himself. Under these circumstances, he decidedly objected to an attempt to effect an alteration by a side-wind.

THE MARQUESS OF HARTINGTON said, that, but for want of time, it was the intention of the Government last Session to propose a Committee of Inquiry upon this question, which was one of considerable importance, was by no means so clear as the noble Lord opposite (Lord C. Hamilton) seemed to suppose. It was a very proper subject of inquiry which the Government intended to promote. The terms of the Motion of last year, which he should move shortly, were—

"That a Select Committee be appointed to inquire into the operation of the present area of rating within Poor Law Unions in Ireland, with a view of ascertaining whether such area of rating might with advantage be extended."

He did not think the case had been so fully decided upon as the noble Lord wished them to believe. The Committee which investigated the subject of the Poor Law in Ireland did not devote any great part of its time to this particular point, and some of those who were most able to give an opinion on the working of the Poor Law in Ireland were very much in favour of the proposal now made. In agreeing to the Motion of the hon. and learned Member (Mr. M'Mahon), he expressed a hope that time would be allowed for the Committee to finish its labours before the Bill was put down for a second reading.

Motion *agreed to.*

Bill to assimilate the Law for the relief of the poor in Ireland to that of England by substituting Union Rating for the present system of Rating by Electoral Divisions, *ordered* to be brought in by Mr. M'MAHON, Mr. DOWNING, and Mr. STACPOOLE.

Bill *presented,* and read the first time. [Bill 18.]

PERMISSIVE PROHIBITORY LIQUOR BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to enable Owners and Occupiers of Property in certain districts to prevent the common Sale of Intoxicating Liquors within such districts.

Resolution *reported:* — Bill *ordered* to be brought in by Sir WILFRID LAWSON, Sir THOMAS BAZLEY, Lord CLAUD HAMILTON, Sir JOHN HANMER, Mr. MILLER, Mr. DALWAY, and Mr. DOWNING.

Bill *presented,* and read the first time. [Bill 11.]

WOMEN'S DISABILITIES BILL.

On Motion of Mr. JACOB BRIGHT, Bill to remove the Electoral Disabilities of Women, *ordered* to be brought in by Mr. JACOB BRIGHT, Mr. EASTWICK, and Dr. LYON PLAYFAIR.

Bill *presented,* and read the first time. [Bill 13.]

EDUCATION OF THE BLIND, DEAF, AND DUMB BILL.

On Motion of Mr. WHEELHOUSE, Bill to provide for the Elementary Education of Blind and Deaf and Dumb Children, and for the Governmental Inspection of Schools for such Children, *ordered* to be brought in by Mr. WHEELHOUSE, Mr. MELLOR, and Mr. WARD JACKSON.

Bill *presented,* and read the first time. [Bill 14.]

CORONERS BILL.

On Motion of Mr. GOLDNEY, Bill to amend the Law relating to the Election, Office, and Duties of Coroners, *ordered* to be brought in by Mr. GOLDNEY, Mr. WALTER, and Mr. THOMAS CHAMBERS.

Bill *presented,* and read the first time. [Bill 20.]

PRINTING.

Select Committee *appointed,* "to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—Mr. BONHAM-CARTER, Sir JOHN PAKINGTON, Mr. WALPOLE, Mr. HENLEY, Mr. Secretary CARDWELL, Sir STAFFORD NORTHCOTE, The O'CONOR DON, Mr. HASTINGS RUSSELL, Mr. HUNT, Mr. STANSFELD, and Mr. SCLATER-BOOTH:—Three to be the quorum.

PROVISIONAL ORDER BILLS (COMMITTEES) BILL.

On Motion of Mr. DODSON, Bill to empower Committees on Bills confirming or giving effect to Provisional Orders to award Costs and examine Witnesses on Oath, *ordered* to be brought in by Mr. DODSON and Colonel WILSON PATTEN.

Bill *presented,* and read the first time. [Bill 12.]

REGISTRATION OF VOTERS (NO. 2) BILL.

On Motion of Sir CHARLES DILKE, Bill to amend the Laws relating to the Registration of Voters in England and Wales, *ordered* to be brought in by Sir CHARLES DILKE, Mr. COLLINS, Mr. WHITBREAD, and Mr. RATHBONE.

Bill *presented,* and read the first time. [Bill 22.]

GAME LAWS (SCOTLAND) AMENDMENT (NO. 2) BILL.

On Motion of Mr. M'LAGAN, Bill to amend the Laws relating to Game in Scotland, *ordered* to be brought in by Mr. M'LAGAN, Sir ALEXANDER MAITLAND, and Mr. ORR EWING.

Bill *presented,* and read the first time. [Bill 21.]

REGISTRATION OF PARLIAMENTARY VOTERS BILL.

On Motion of Mr. HENRY ROBERT BRAND, Bill to amend the Laws relating to the Registration of Parliamentary Voters in Counties and Boroughs in England and Wales, *ordered* to be brought in by Mr. HENRY ROBERT BRAND, Sir CHARLES DILKE, Mr. ANDREW JOHNSTON, Mr. COLLINS, and Mr. RATHBONE.

Bill *presented,* and read the first time. [Bill 19.]

House adjourned at a quarter before Eleven o'clock.

* * *

HOUSE OF LORDS,

Tuesday, 14*th February,* 1871.

MINUTES.] — *Sat First in Parliament*—The Lord Loftus (the Marquess of Ely), after the death of his father.

SELECT COMMITTEE—University Tests, *nominated.*

DISPUTES WITH THE UNITED STATES. THE JOINT COMMISSION.—QUESTION.

LORD CAIRNS asked the Secretary of State for Foreign Affairs, Whether, in the absence of the Papers on American affairs promised in Her Majesty's Speech, he will state if the object of the Joint Commission is to settle the questions in dispute between the United States and British North America and the questions between the United States and this country connected with the late war, or only to determine a mode in which such questions may be placed in a way of settlement; and also whether this country will be bound by the determinations of a majority of the Commission; and whether there is in the Commission any and what provision for an umpirage in the event of the Commission being equally divided?

EARL GRANVILLE: My Lords, the noble and learned Lord did not mention in the House his intention of putting the Question, and having been obliged to go to Windsor with two foreign Ministers, I have only just seen his Notice; but I have no hesitation in answering his

Question. Perhaps it would be the better course to read a short extract from the Commission itself—

> "They are appointed for the purpose of discussing in a friendly spirit with Commissioners to be appointed by the Government of the United States the various questions on which differences have arisen between Great Britain and that country, and of treating for an agreement as to the mode of their amicable settlement."

The noble and learned Lord will understand, therefore, that the Commissioners are not arbitrators, empowered to make a final settlement of the questions by their own authority; but supposing them to come to an agreement as to the mode of settlement—in accordance with the Instructions of their respective Governments—then they will report to their respective Governments. In order that a treaty may be entered into for referring the disputed questions to arbitration or to whatever mode, whether arbitration or otherwise, they may report. There is, therefore, no question of a majority or minority on the Commission. It would be inconvenient at present to read the entire Instructions given to the Commissioners, but I see no objection to quoting a sentence towards the end of them, which is as follows:—

> "Her Majesty's Government request, however, that if the mode of dealing with any particular matter which you may be disposed to agree to should vary materially from the manner of settlement to which I have informed you Her Majesty's Government are prepared at once to assent, or in case of any disagreement of importance arising between yourselves and the American High Commissioners, you should at once report by telegraph and await further instructions."

The Earl of CARNARVON was understood to ask whether the San Juan question was included in the scope of the Commission.

Earl GRANVILLE replied that it was.

TREATY OF PARIS (1856)—NEUTRALIZATION OF THE BLACK SEA.

QUESTION. OBSERVATIONS.

Lord CAIRNS rose to call attention to the Provisions of the Treaty of Paris (1856) as to the Black Sea, with reference to the statement lately made on this subject by the Prime Minister, and said—My Lords, remembering that a Conference is now sitting, I should have preferred observing silence on the

subject to which I am anxious to ask your Lordships' attention for a short time; but, inasmuch as we are given to understand that a very broad and explicit opinion has been already pronounced by the Prime Minister, notwithstanding the sitting of the Conference, and inasmuch as some statements of fact made by him, as we understand, on the same occasion, have created some surprise, I cannot but feel that the proper time to take notice of the matter is the present. It might otherwise be said hereafter that those statements were made in the face of Parliament, and were unchallenged at the time, and that they must, therefore, be supposed to have commanded the assent of Parliament. It will be in your Lordships' recollection that the Treaty signed at Paris in 1856 contained a clause for the neutralization of the Black Sea. The terms of the 11th Article are—

> "The Black Sea is neutralized; its waters and its ports, thrown open to the mercantile marine of every nation, are formally and in perpetuity interdicted to the flag of war, either of the Powers possessing its coasts or of any other Power, with the exceptions mentioned in Articles XIV. and XIX. of the present Treaty."

These exceptions permit the Russian and Ottoman Governments to keep a limited number of small gunboats for the service of the coasts of the Black Sea. Your Lordships may also recollect that the Crimean War, which commenced in 1854, was interrupted in 1855 by negotiations conducted at Vienna, which at one time seemed likely to result in the establishment of peace. Those negotiations were twice broken off and twice renewed. On each occasion they were broken off on the very point on which they were ultimately, in June 1855, abandoned—namely, on the mode of reducing, as it was termed, the preponderance of the power of Russia in the Black Sea. Two modes by which that object might be effected were proposed. One was that Russia should not be prevented from maintaining a naval force in the Black Sea, but that other Powers should be at liberty to maintain a force of equal magnitude. On that point the late Lord Clarendon always held in his despatches the same language—namely, that that was not the form of giving effect to the object in view which this country would approve, as it would lead to a constant state of preparation for war in the East, instead of to a peace that might be expected to prove lasting. The other solution of the difficulty was that proposed originally, I think, by France, and warmly taken up by Lord Clarendon on behalf of the British Government. It was looked upon somewhat coldly by Austria, but supported, I believe, to a certain extent by her. This alternative was the neutralization of the Black Sea. Your Lordships may remember that in the negotiations at Vienna four heads or bases were constantly referred to. I believe I am right in stating that the first two were substantially agreed to, while the third was this question of the reduction of Russian naval preponderance, on which the negotiations were twice interrupted and finally abandoned. The fourth head was never touched; but there is no reason to suppose that had the difficulty as to the third been surmounted it might not have been easily arranged. I have thus shortly reminded your Lordships of the position of affairs at that time. I will not trouble you with quotations from Lord Clarendon's despatches, for the difficulty would be to know what to select, since every page is full of the expression of his views on this point. When, moreover, the negotiations were broken off, a circular was addressed by him to our diplomatic agents in different countries, giving a narrative of the course they had taken, and assigning as the reason for their termination that which I have mentioned. He appealed to the protocols of the Conference as evidence showing how well founded was the determination of the Western Powers to insist on the cessation of Russian preponderance in the Black Sea as alone offering any real security for Turkey and Europe against any ulterior designs on the part of Russia. The Conference of Vienna having come to an end, the war consequently went on during the autumn and winter, resulting in the further defeat of Russia; and finally the Treaty of Paris was concluded, in which Russia assented to terms which she had before positively refused—including the neutralization of the Black Sea. This being so, it was with no small surprise that I read expressions recently used, if he had been correctly reported, by the Prime Minister. He is reported to have said that if this country were now to insist on this Article of the Treaty we should not have the co-operation of Austria. I do not dwell on that statement, for very possibly there is some foundation for it, for anyone can see that Austria was very unwilling at the time of the Conferences at Vienna to be a party to any terms irksome to Russia with regard to the Black Sea. The Prime Minister also said that France, by her official acts, had expressed her readiness to give up the neutralization of the Black Sea. Now, as to that point, so far as I know, or any of your Lordships have been informed, no document has yet been produced, having the character of an official act, showing that France is prepared to give up this part of the Treaty. I have seen in newspapers statements of what France was prepared to do; but I am not aware of any official act of this character. What follows, however, is much more remarkable. Meeting an observation made by Mr. Disraeli that the Treaty of 1856, if it produced nothing else, produced one result of the utmost value and the most vital importance—namely, the neutralization of the Black Sea—the Prime Minister is reported to have said—"That was never, so far as I know, the view of the British Government." Now, this is a most startling statement. Unless we are all under a delusion—unless all the documents which are upon record are entirely baseless and inaccurate, it was not only the view of the British Government that the neutralization of the Black Sea was of vital importance, but it was the very point on which the Vienna negotiations broke off, and to attain which millions of money were expended and thousands of lives lost in continuing the war. The Prime Minister went on to say—

> "In this House, in the year 1856, I declared my confident conviction that it was impossible to maintain the neutralization of the Black Sea."

Mr. Gladstone said this immediately after the sentence as to the view of the British Government. In 1856, however, Mr. Gladstone was not in Office, and his attitude in the House of Commons, if not one of opposition, was one of very careful, and frequently hostile, criticism of the Government of the day; yet, if he is correctly reported, his expressions amount to this—"I maintain that the neutralization of the Black Sea was never, in the view of the British Government, of vital importance, and I made a speech in 1856 insisting that it could not be maintained." So far Mr. Gladstone only is concerned;

but what follows concerns others. He says he does not speak from direct communication with Lord Clarendon, but he has been told since his death that Lord Clarendon never attached value to the neutralization. Now, this is a grave statement. I should say that it is a very grave imputation on the memory of Lord Clarendon; for it amounts to this—that when Lord Clarendon wrote despatches, one after another, insisting on the necessity of reducing Russian preponderance in the Black Sea and on its neutralization, and when he assumed the responsibility of advising the Crown to continue the war in order to obtain that end, he did not believe what he was writing, and was all along of opinion that no value was to be attached to the neutralization of the Black Sea. The Prime Minister continues—

> "I do not speak from direct communication, but I have been told that Lord Palmerston always looked upon the neutralization as an arrangement which might be maintained and held together for a limited number of years, but which, from its character, it was impossible to maintain as a permanent condition for a great settlement of Europe."

So that Lord Palmerston, who was Prime Minister at the time, plunged the country anew into war in order to obtain an arrangement to which he attached no idea of permanence, and when these stipulations were made, closing the Black Sea for ever to vessels of war, he knew that this arrangement could only be kept alive for a certain number of years. I do not know what is the authority for these statements. Opening almost at random the Papers laid on the Table yesterday, which it would be premature to discuss now, I observe that the Russian Minister at Constantinople seems to have told Sir Henry Elliot that Lord Palmerston had said the neutralization of the Black Sea could not be maintained ten years. Now, I do not think Lord Palmerston, looking to his official or public acts, believed or thought this; but even if he did, I think he was the very last man to tell a Russian diplomatic agent that this was his opinion. This is, so far as I know, the only foundation for the Prime Minister's statements. The question assumes greater magnitude when we connect it with some other events which have occurred. Your Lordships remarked with great surprise at the beginning of the winter a despatch addressed by Prince Gortchakoff to the Government of this country. I think I speak the sentiments of everyone present and of the great majority of the country when I say that the public were satisfied with the manner in which that despatch was, in the first instance, answered by the noble Earl opposite. All thought that the despatch was a most unwarrantable and unprecedented attempt to repudiate treaty engagements on the part of Russia, and that in point of form and manner it was as objectionable and censurable an act as was ever committed; but there was on the part of the public a very strong impression that there was something in the question much more than manner and form. The public recollected the Crimean War, they were quite aware of the object which we then had in view, and while they naturally resented the manner and form in which Russia repudiated her part of the Treaty, they felt that it was an attempt to subvert an arrangement to which this country attached great importance, and to set aside that security for the freedom of Turkey and for our own interests in the East which we had obtained at great cost and with great difficulty. They, therefore, regarded the manner and form as by no means the whole, or as perhaps even the gravest part, of the attempt itself. We all remember the excitement which prevailed on the Stock Exchange and throughout the country, and the general anxiety as to the further action of Russia, and the manner in which the noble Earl's answer would be received. I do not think I exaggerate when I say that people supposed we were possibly on the verge of an interruption of our friendly relations with Russia. Now, suppose that interruption, which we should all have deplored, had occurred, and suppose the public had afterwards been told that the whole controversy was merely upon the form and manner of the Russian despatch, and that what Russia was insisting on was, in substance, what the Prime Minister had always thought was the proper view of her rights; on what Lord Clarendon could never have seriously objected to, on what Lord Palmerston thought must come about in a few years—suppose the public had been told that the rupture was not on account of the substance, but merely the manner and form, what would they have thought? I think certainly they would have been much surprised at finding that this was all the while the view of the British Government, when these excellent and spirited despatches were being written at the Foreign Office. The result, as we know, is that the aim of Prince Gortchakoff has been accomplished—there is a Conference. The noble Earl, I observe—although objecting to limit the operations of the Conference in terms to the neutralization of the Black Sea—has stated his opinion that every effort should be made to limit the Conference to that question and to matters necessarily arising out of it. The case, therefore, is this—the Conference is to consider the demand of Russia that the neutralization should be put an end to. We all thought that, if such a proposition could be entertained at all, Russia must be prepared to offer an equivalent for that to which we attached great importance. But the Prime Minister comes forward, and in the face of Parliament gives an opinion that the point which the Conference is treating as a matter of controversy is not a matter of controversy at all; that he is of exactly the same opinion as the Emperor of Russia; that Lord Clarendon and Lord Palmerston were of the same view; and that France and Austria think the same. The noble Earl stipulated prior to the Conference that the Plenipotentiaries should enter it without any foregone conclusion; but the Plenipotentiaries of the Powers most concerned have entered it with foregone conclusions. Russia, of course, has determined in her own mind to put an end to the neutralization; and I greatly fear that the Representative of this country has entered it also with the foregone conclusion, expressed by the Prime Minister, that the neutralization must be given up. I should have been glad not to touch on any point relating to the Conference, but under present circumstances I wish to ask, What is the foundation for the statement that Lord Clarendon attached no value to the neutralization of the Black Sea, and that Lord Palmerston thought it an arrangement which could be maintained only for a few years? I would also ask, Whether the question of neutralization is any longer a question of controversy, or whether it has passed out of the sphere of negotiation and arrangement at the Conference?

EARL GRANVILLE: My Lords, I cannot think that the noble and learned Lords has taken a very convenient course. The Papers on the subject were presented only yesterday, and, though this circumstance does not affect me, the noble and learned Lord admits that he has only been able to take a very superficial view of them. The noble and learned Lord did not give Notice in the House of his intention, but merely put it down on the Paper. As I have already explained, I was unavoidably obliged to leave London early this morning—before I got the Minutes—in order to present two foreign Ministers at Windsor, and I only got back just in time to reach the House. Of this I do not complain in the least, for if I had been the whole day in London it would not have enlightened me with regard to the Notice, which is certainly one of the vaguest which I ever saw on the Minutes. Indeed, I should like to refer to a noble Viscount (Viscount Eversley), who formerly presided over the other House, whether such a Notice as this would have been inserted at all on the Votes of the House of Commons—

> "To call attention to the provisions of the Treaty of Paris (1856) as to the Black Sea, with reference to the statement on this subject lately made by the Prime Minister."

Anything less specific it is impossible to imagine. I have not seen Mr. Gladstone, and have not been able to ask him whether he has been correctly reported or not. The noble and learned Lord blames Mr. Gladstone for having introduced this question at a time when it is before the Conference. I beg leave to say that he did not introduce it; it was Mr. Disraeli who introduced it, and argued it at great length, saying, among other things, that the neutralization of the Black Sea was the one vital and important point in the Treaty of 1856. I think Mr. Gladstone might properly have remained silent; but, if so, what would have happened? We should have had, as we had last year, the noble Marquess opposite (the Marquess of Salisbury), and others, in both Houses, complaining bitterly of Mr. Gladstone's reticence on foreign policy when he ought to declare every view of the Government upon it. I do not know whether the words are reported or not; but I was a Member of Lord Palmerston's Government, and I certainly go with Mr. Gladstone in saying that we did not regard this neutralization of the Black Sea as the one vital part of the Treaty of 1856. They were most important stipulations, and I say—and I cannot imagine that Mr. Gladstone meant to convey a different impression—that we attached very great importance to those stipulations at the time and in the circumstances of the case. In one respect, things are now very different; for Turkey has now one of the most powerful fleets in the world, whereas at that time she was without an armed vessel she could call her own. I do not wish to enter into a matter on which I am the negotiator for this country in a Conference which is going on and will meet again this week. The noble and learned Lord asks whether I can answer for Lord Clarendon's opinion. Well, there is not the slightest doubt that Lord Clarendon was very anxious for these stipulations at the time. There were persons out of the Government who took a different opinion—Lord Aberdeen, for instance, and, if I remember rightly, the noble Earl on the cross Benches (Earl Grey) were opposed to these stipulations, as also some of my present Colleagues. Sir Roundell Palmer was much opposed to them, and Mr. Layard, who usually put himself forward as a friend of Turkey, strongly deprecated them. I admit that Lord Clarendon, and all of us at the time, thought they were an important and good arrangement. The noble and learned Lord says Mr. Gladstone states that he has heard that Lord Clarendon did not attach importance to them. All that I can say is, that I was informed, on what appeared to be good authority, of exactly the same thing. I have taken some pains to inquire, and I have ascertained that there is no evidence whatever that Lord Clarendon changed his opinion. He might have done so, but I have found no authority for it. I mentioned this to Mr. Gladstone the day after his speech, and said—"You seem to have been misled in the same way that I was; I have made inquiries, and I believe there is no proof of anything of the sort." Mr. Gladstone, of course, accepted the correction, and he will, no doubt, be happy to make the same declaration. With regard to Lord Palmerston, I am bound to say that the evidence is rather of a different character. The noble and learned Lord objected to what the Russian Ambassador told Sir Henry Elliott, and he will probably object, therefore, to what the Russian Ambassador told me. General Ignatieff told me that he remarked to Lord Palmerston—"These are stipulations which you cannot expect will last long," and Lord Palmerston replied—"They will last 10 years." A learned civilian, a great friend of mine, told me he heard Lord Palmerston talk on the same subject, and say—"Well, at all events, they will last my life." A noble Peer, a Colleague of mine, not at this moment present, an intimate friend of Lord Palmerston, says Lord Palmerston told him they would last seven years. Lord Palmerston certainly took occasion officially to represent to the Turkish Government his opinion that within 10 years from the time of the Treaty Russia would certainly be at war with them. He warned them of their danger, and told them that upon them the stress must lie; that they must look not only to their naval and military, but their financial condition, and that by good government towards all their subjects, without distinction, they must obtain their full support, so as to be able to defend themselves in an emergency, which he apprehended, but which, luckily, has not occurred. There is a great deal I could say on the subject of the Treaty of 1856 and any possible revision of its Articles, but I think your Lordships will agree with me that, being officially engaged in the Conference on the part of this country, it would be injudicious for me in the House of Lords to argue or give my individual opinion about different Articles of that Treaty. There is one thing I feel excessively grateful for — that we went into Conference before the noble and learned Lord had made his speech of to-night. The noble and learned Lord has treated Prince Gortchakoff's despatch as a mere matter of manner and form. Now, I believe there is nothing more important than what he calls a form. I believe that if this country and the rest of Europe had submitted without resistance to the denunciation of solemn obligations to which we were guarantees, a more severe blow would have been struck not only at the character and position of this country in Europe, but at the validity of all treaties, than it is easy to conceive. I am glad, therefore, that that part of his speech was delivered after we had been some days in Conference, and not before our sittings commenced.

THE MARQUESS OF SALISBURY: The noble Earl (Earl Granville) has been kind enough to make an allusion to me; why, I do not know. It seems to me that the accusation that I should have complained of the reticence of the Prime Minister had he abstained from throwing down his policy before Parliament at a time when it was a subject of negotiation with foreign Powers, is an accusation which could not be made against me or any single Member of either House. Reticence under such circumstances is what I should not only not have complained of, but should have been very grateful for. No doubt the negotiations are carried on with the utmost skill by the noble Earl opposite. I do not know what securities he may have to try and extract from the Russian Government; but I certainly join in his congratulations that the negotiations began before Parliament met, and before the Prime Minister had the opportunity of telling the country and the world that the object for which they were carried on was, in his opinion, perfectly worthless. I should like to know—but the noble Earl must use his official discretion in the matter—whether the Prime Minister was equally frank in his confidences to the Plenipotentiaries as he was the other day to the House of Commons? I should like to know what their feelings were when they read his speech the next morning, and whether they did not suggest to the noble Earl that, as far as the substance of it was concerned, they might as well return home? I do not believe we shall find in Parliamentary history any instance of a Prime Minister throwing discredit on the very cause which his Plenipotentiary was engaged in maintaining at the time negotiations were going on. Another very serious criticism may be passed on Mr. Gladstone's speech. We suffer a good deal from the constant change of the public men at the head of affairs. This country has to maintain unity of policy in the face of foreign countries as though the same brain always conceived, the same mouth announced, and the same hand executed that policy; yet men of the most opposite views have to concur in maintaining it, and the man who denounces the policy of a Minister one day may the next day be called upon to carry it out and see it to its fair conclusion. Such has been the case with Mr. Gladstone. In 1856 he was denouncing the policy of neutralization in terms to which Prince Gortchakoff himself could have seen little to add. None of us who heard that eloquent speech can forget how he pointed to that neutralization—to that part of one of the four bases of negotiation—as the point on which the negotiations were broken off, and as the cause of the sacrifice of fresh victims to the demand of military fame. I well remember how eloquently he denounced that policy. In the course of events it became his duty to maintain the policy that he had opposed, and to sustain that which his predecessors, his Sovereign, and the country had stamped as the policy of the British Empire. That was his duty to-day. It would be absolutely fatal to the performance of this delicate and difficult duty if, when negotiations are going on, a Prime Minister may come forward and refer to his own personal feelings, when expressed in Opposition, as a means of damaging and discrediting the policy of the country. About a year after the China debates the late Lord Derby took Office, and it became his duty to give some expression of opinion with reference to the prosecution of the Chinese War. He was taunted because he did not in Office reiterate the opinions adverse to the war which he had expressed in Opposition. But my belief is that that was the only true and patriotic course. A man, of course, cannot act contrary to his own sincere conviction; but he is constitutionally bound when he accedes to Office to be silent on his own former objections to the policy which he has inherited, and to do his utmost by judicious reticence, by silence, by discretion, by carefulness in the use of language, to maintain that unity of policy which is essential to the conduct of foreign affairs of a great nation, but is so difficult under a constitutional Government such as ours. This is another and serious objection to the course the Prime Minister has pursued. I agree with the noble Earl (Earl Granville) as to the inconvenience of this discussion. I only say it was commenced by the Prime Minister, and the responsibility for all the inconvenience—and I fear much greater inconvenience was felt within the walls of the Conference-room—lies with him and not with us.

House adjourned at Six o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 14th February, 1871.

MINUTES.]—Select Committee—Standing Orders, *nominated;* Selection, *nominated.*

Public Bills—*Resolution reported—Ordered—First Reading*—Princess Louise's Annuity * [24].

Ordered—Habitual Drunkards.

Ordered—First Reading—Public Parks, &c. (Land) [25]; Local and Personal Acts (Ireland) [26]; Trades Unions [28]; Ecclesiastical Titles Act Repeal [27]; Charities, &c. Exemption [23]; County Property * [29]; County Courts (Jurisdiction and Procedure)* [31]; Game Laws Amendment * [30]; Inclosure Law Amendment [32].

INCOME TAX RETURNS.—QUESTION.

Mr. HERMON asked Mr. Chancellor of the Exchequer, Whether he is aware that, in opposition to the decision of this House on the 9th June last, his assessors did issue forms for returns of Income Tax requiring employers to state the amounts of the salaries they paid to their clerks and assistants?

The CHANCELLOR of the EXCHEQUER, in reply, said, he must first correct the hon. Gentleman's Question. The assessors were not his assessors in the sense that they were the assessors of the Treasury. Practically, they were officers appointed by the district commissioners, over whom he had no control; he could not, therefore, give as much information on the subject as he would have been able to do if the assessors had been directly under the Treasury. He stated, however, that two kinds of forms were issued — one designed for companies, with a column for the salaries of those employed, as under the old system; the other for private firms, requiring the names of those liable to be assessed, and the position they occupied, but not requiring a statement of the salaries given. The presumption, therefore, was that what the hon. Member complained of had not been done.

Mr. HERMON stated, in reply, that a form such as the Chancellor of the Exchequer described as being exclusively designed for companies had been left with his own firm.

NAVAL PRIZE MONEY.—QUESTION.

Mr. HENRY SAMUELSON asked the Secretary to the Admiralty, Whether he is aware that much dissatisfaction exists among naval officers serving on foreign stations on account of the fact that the scale of distribution of prize money now in force (and which dates as far back as 1836), is unduly in favour of the flag officers in port; and, whether it is intended to revise that scale?

Mr. BAXTER, in reply, said, the Order in Council regulating the distribution of naval prize money was dated in 1866, and not in 1836. In the early part of the present century the share of naval officers serving on foreign stations amounted to one-eighth, but since then it had undergone many changes. It was now fixed at one-thirtieth, and he was not aware that any dissatisfaction prevailed. The amount for distribution was so small that it was scarcely possible to make a more equitable distribution than that made at present.

NAVY—SHIPS OF WAR.—QUESTION.

Sir JOHN HAY asked the Secretary to the Admiralty, Whether the Committee on Designs of Ships of War have made any recommendation on the subject of the ironclads "Devastation," "Thunderer," "Fury," "Hecate," "Hydra," "Gorgon," and "Cyclops," or any of them, and whether the opinion expressed as to the designs of these ships is favourable or otherwise?

Mr. BAXTER, in reply, said, no recommendation of any kind had been made by the Committee.

COMPULSORY EDUCATION.—QUESTION.

Colonel WILSON-PATTEN asked the Vice President of the Committee of Council on Education, Whether the Government is prepared to give powers to enforce attendance at schools in those districts where there are no school Boards; and, if so, to what authority?

Mr. W. E. FORSTER, in reply, said, that no doubt his right hon. Friend was aware that the Elementary Education Act of last Session gave powers to school Boards to compel the attendance at school throughout the districts over which they had control; the Government was not prepared to give additional powers for compelling attendance, nor would it be expedient to introduce a measure for a special purpose such as this.

CATTLE DISEASE—IMPORTATION OF INFECTED BEASTS.—QUESTION.

MR. ALDERMAN W. LAWRENCE asked the Vice President of the Committee of Council on Education, Whether he can give an explanation to the Statement which appeared in a Letter to the "Times" of the 31st of January, viz.—

> "That a cargo of beasts from Holland landed at Thames Haven last week was passed by the Inspectors there as sound. These animals were taken thence to the Maiden Lane Station, Holloway, and thence to the market lairs, where on close inspection several of the beasts were found to be affected with pleuro-pneumonia ?"

MR. W. E. FORSTER, in reply, said, that immediately on his attention being called to the statement referred to in *The Times* he caused inquiries to be made into the rumour, and so far as the Department could ascertain the statement was entirely without foundation. The Inspector of the markets stated that he had not detected any case of pleuro-pneumonia in the lairs, and what confirmed his statement was this—by the Act passed a year or two ago the owners of animals so affected were bound to give notice under a penalty of £20, and he thought that if any of the animals had been affected the owners would have given the required notice rather than incur the penalty.

FRANCE AND GERMANY—SINKING OF BRITISH VESSELS.—QUESTION.

MR. EUSTACE SMITH asked the Under Secretary of State for Foreign Affairs, Whether Her Majesty's Government are taking any and what steps to obtain compensation for the seamen and others who lost their employment and effects through the sinking of their vessels in the Seine by the Prussians ?

VISCOUNT ENFIELD, in reply, said, Her Majesty's Government, as soon as they learnt that British ships had been sunk in the Seine by the Prussians, took immediate steps to bring the matter under the official notice of Count Bismarck, who at once answered that full compensation should be given. There is no reason to doubt that this will be done as soon as the various claims can be substantiated and adjusted. Papers will be laid very shortly upon the Table of the House with reference to this question.

HABITUAL DRUNKARDS BILL.

LEAVE.

MR. D. DALRYMPLE, in moving for leave to bring in a Bill to amend the Law of Lunacy, and to provide for the Management of Habitual Drunkards, said, the measure differed in a very slight degree from the one he proposed last year; and that difference was caused by the desire to surround the liberty of the subject with somewhat greater safeguards. As the Government did not object to the introduction of the Bill, he would not now detain the House with any observations further than to remark that he trusted that the hilarity with which the Notice he gave of the measure was met on Thursday last would vanish when the gravity of the subject came to be fairly discussed by the House. The hon. Member concluded by moving for leave to bring in the Bill.

Motion *agreed to.*

Bill to amend the Law of Lunacy and to provide for the Management of Habitual Drunkards, *ordered* to be brought in by Mr. DONALD DALRYMPLE, Mr. GORDON, Mr. PEASE, and Mr. DOWNING.

PUBLIC PARKS, &c. (LAND) BILL.

LEAVE. FIRST READING.

SIR WILLIAM HUTT, in moving for leave to bring in a Bill to facilitate gifts of Land for Public Parks, Schools, and Museums, said, the Bill contemplated the same change in the law that was recommended by a Committee of that House which sat in 1852 to inquire into the law of mortmain, and of which Committee he was a Member. That Committee comprised some of the most eminent Members of the House, who were selected as being the representatives of conflicting opinions on the difficult question of mortmain law; and those Gentlemen, though differing among themselves on many of the points submitted to their decision, all agreed that it was expedient to repeal so much of the law of mortmain as presented any obstacle to the formation throughout the country of parks, schools, and museums, or other means of giving education and enjoyment to the people. That was the unanimous resolution of the Committee, and it was reported to the House. Seventeen or 18 years had since passed away, and, unfortunately, no step whatever had been taken in the matter. To show that the conclusion arrived at by the Committee was a sound and well-advised one, he might observe that the Law of Mortmain—as the 9 *Geo.* II., c. 36, was generally, but he believed erroneously, called — rendered it practically impossible for anyone in this country to leave by will real property, or funds, to be afterwards applied to the acquisition of real property for any public institution, however meritorious or deserving support it might be. That sweeping enactment, so stringent in its character, was justified by Lord Chancellor Hardwicke, its promoter, as a measure necessary to prevent the alienation from the general purposes of the country of large landed estates and the consigning them to the grasp of permanent corporations and trusts. Lord Hardwicke enjoyed the highest reputation as a lawyer—indeed, he might, perhaps, be regarded rather as a pre-eminent lawyer than as a great statesman. He never forgot that there was a period in our history when ecclesiastical corporations held a very large portion of the soil of the country. Lord Hardwicke was too wise to believe that in his day such a mischievous state of things could recur. Still, he apprehended the recurrence of some possible modification of the evil, and he took these extraordinary precautions against it. Now, gifts of such shreds and patches of land as were necessary for carrying out the objects contemplated by the present Bill would hardly involve any appreciable infraction of the legislation of Lord Hardwicke. Even, however, were it otherwise, the House would be bound to weigh and compare the advantages resulting from the alienation of land for such purposes with the presumable evils that might arise on the other side. On that principle they were in the habit of acting in reference to the Private Bills promoted by commercial companies who asked for power to hold land essential to their operations, notwithstanding the prohibitions of the law of mortmain. The House granted such powers to railway, canal, dock, and other companies without scruple or restraint; and surely the education and the improvement of the condition of the people was a question which the House had as much at heart as the construction of railways. If the law of mortmain was rightly set aside in those cases it was not too much to ask that it should be set aside for such purposes as he proposed. Another view of the matter was that the hardship, the pains and penalties of the restriction fell almost exclusively on the poorer classes of the community. The man who was prohibited by law from leaving a rood of land as a site for a village school was yet permitted by express provision of the Mortmain Act to leave any extent of land or real property to the two great English Universities, to our great public schools, to a number of other great and flourishing institutions which existed in fact for the special benefit of the upper classes. Nobody, he thought, would undertake to defend such a distinction as that. In the memory of some who now heard him, the late Viscount Fitzwilliam bequeathed by will to the University of Cambridge £100,000 for the erection of a museum, for which he had otherwise splendidly provided. That museum was now one of the glories of the University to which he had the honour to belong. But had Lord Fitzwilliam been minded to leave that museum, not to the University of Cambridge, but to the people of Bradford, Birmingham, Manchester, or any one of those great hives of industry where a knowledge of the arts of design and instruction in the principles of taste could be so advantageously disseminated among the artizans, the gift would have been set aside by the inexorable enactments of the mortmain law. He said that was class legislation of a very obnoxious kind. He was sure that the representatives in that House of the great Universities of the land, naturally anxious as they were to promote their prosperity by every legitimate and honourable means, would not wish to maintain a distinction so invidious and so injurious to other classes. He felt convinced that those Gentlemen would say with him—

> "Non tali auxilio nec defensoribus istis
> Tempus eget."

and would lend him their aid in promoting a change in the law. The right hon. Baronet concluded by moving for leave to bring in the Bill.

Motion *agreed to.*

Bill to facilitate gifts of Land for Public Parks, Schools, and Museums, *ordered* to be brought in by Sir WILLIAM HUTT and Sir STAFFORD NORTHCOTE.

Bill *presented*, and read the first time. [Bill 25.]

LOCAL AND PERSONAL ACTS (IRELAND) BILL.

LEAVE. FIRST READING.

MR. HERON, in moving for leave to bring in a Bill to diminish the expense and delay of passing Local and Personal Acts relating to Ireland through Parliament, said, the main object of the Bill was to establish a tribunal in Ireland before which all Bills relating to Local and Personal Acts should be brought and examined, instead of sending them direct to Parliament. The machinery for examination of the schemes would be precisely the same as that now applied to the trial of election petitions. The evidence would be taken by a Judge, who would report to a Parliamentary Office in Dublin, similar to the Local Government Office in this country, whereupon a Provisional Order would be issued, which would come before Parliament for confirmation. In order to show the necessity for such a measure, he might observe that in the recent legislation connected with Sligo the expense had been £14,000, that relating to Kingstown £6,000, and that relating to the Dublin Trunk Railway Bill £56,000.

Motion *agreed to.*

Bill to diminish the expense and delay of passing Local and Personal Acts relating to Ireland through Parliament, *ordered* to be brought in by MR. HERON, MR. PIM, and MR. BAGWELL.

Bill *presented,* and read the first time. [Bill 26.]

TRADES UNIONS BILL.

LEAVE. FIRST READING.

MR. BRUCE, in moving for leave to bring in a Bill to amend the Law relating to Trades Unions, said, it was always a matter for regret where delay occurred in the removal of admitted grievances, and it was agreed upon all sides that the subject of the large trades unions was one upon which legislation had been for some time urgently required. The delay which had occurred with reference to this subject was not, however, without compensation, because it had afforded time for the examination of the great mass of evidence which had been accumulated by the Commission which had been appointed by the right hon. Gentleman opposite (Mr. S. Walpole) in 1867, which would aid greatly in framing a useful measure. He (Mr. Bruce) regarded the subject as a delicate and a difficult one, and one which required him to appeal to the consideration of the House; but he was cheered in the task he had undertaken by the recollection of what had occurred in 1869, when the hon. Member for Frome (Mr. T. Hughes) brought on his Bill for a second reading. On that occasion the House was addressed by several hon. Members, themselves large employers of labour, some of whom had been signal sufferers from strikes, and the fairness with which the discussion was conducted inspired him with the greatest confidence in appealing to the sense of justice of the House. The only objection to the Bill came from the hon. Member for Carlisle (Mr. E. Potter) who, however, limited his objection to the consideration that, inasmuch as ignorance had a great deal to do with trade outrages, an Education Bill ought to precede a Trades Union Bill, and that that Bill should contain a strong compulsory power. Such a measure had passed the House, although not exactly fulfilling all the conditions desired by his hon. Friend. Before proceeding to describe the Bill he proposed to introduce on the part of the Government, he desired to advert to the laws which had regulated the relations between master and servant. The first Act upon the subject was a very memorable one. It was passed in signal defiance of that which was assumed to be a maxim of political economy—namely, that, with certain limitations, the price of labour must always be regulated by the relation of demand and supply. The Statute of Labourers was passed in the reign of Edward III. In that reign occurred the terrible scourge called the Black Death, by which one-third of the people was supposed to have been carried off. The decreased number of labourers led them to demand increased wages, and thereupon the Statute of Labourers, was passed, enacting—

> "That every person, able in body and under the age of 60 years, not having enough to live upon, being required, shall be bound to serve him that doth require him, or else be committed to gaol until he shall find surety to serve, and that the old wages shall be given and no more;"

Showing that industry was then regarded as a duty to the State; idleness a crime; that it was the duty of the Government to compel every man to work, and to secure him proper wages and terms, but not to allow him to contract freely for himself. In the 5th year of Elizabeth another Act was passed, repealing the former ones on the same subject and consolidating them. That statute was called the Statute of Apprentices, and remained in force until the year 1816. By this statute the acceptance of work was made compulsory, the hours of labour were fixed—first, in husbandry, and subsequently, by the statute of 1st James I., among artificers of all descriptions, by the justices of the peace at quarter sessions. Under this Act it was made a criminal offence in a single workman to receive more than the appointed rate of wages. Enactments were passed from time to time against combination in certain particular trades, culminating, in 1800, by an Act of George III. which gave summary jurisdiction for the conviction of workmen who, by intimidation, persuasion, or by other means, induced persons not to work, or who refused to work with other workmen. During this period the statutes passed for the protection of workmen were numerous; but they had all fallen into disuse, while the repressive measures were in full force. The result of this legislation was that, between the years 1800 and 1824, more cases of outrage and violence occurred than at any subsequent period, and there existed a worse state of relation between masters and workmen than at any former period. The extent of those outrages was such that a Committee of the House of Commons was appointed in 1824 to consider the whole subject. They recommended that the various statutes should be repealed, and that the common-law doctrine of conspiracy for restraint of trade should be abolished. That recommendation was carried into effect. The House was aware that the year 1825 was a most disastrous one in the annals of English commerce. The sufferings of the people were terrible, and, unfortunately, the workmen broke out into acts of great violence; great alarm prevailed; the offences committed by trade unionists, and other workmen, were attributed to the recent relaxation of the combination laws, and although sufficient time had not elapsed to give the Act of 1824 a fair trial, the Act 6th of George IV., was passed, which, with some modifications, was the law now in force. The result of the repeal of the preceding statutes was to re-place combinations of workmen under the common law of the land, which was thus described by Mr. Justice Grose in 1796—

> "In many cases an agreement to do a certain thing has been considered as the subject of an indictment for a conspiracy, though the same act, if done separately by each individual without any agreement among themselves, would not have been illegal—as in the case of journeymen conspiring to raise their wages: each may insist upon raising his wages if he can; but, if several meet for the same purpose, it is illegal, and the parties may be indicted for a conspiracy."

This was the common law of England, which justified Jeremy Bentham in saying that the word conspiracy served Judges for an excuse for inflicting punishment without stint on all persons by whom any act was committed which did not accord with the Judges' notions concerning the act in question; and Mr. Fitzjames Stephen's assertion that Judges exercised a modified power of legislation in declaring certain acts to be criminal—namely, the broad ground of immorality and tendency to injure the public—and that they did so by means of a fiction consisting in treating as a crime not the very acts intended to be punished, but certain ways of doing those acts. The common law on the subject of conspiracy, which rendered all trades unions illegal, was so far modified by an Act of George IV., that combinations for the purpose of raising wages, or limiting hours of labour, were no longer criminally punishable; but in all other respects it remained unchanged. It had, however, seldom, if ever, been applied for the purpose of criminal prosecutions, its application having been limited to the enforcement of certain civil disabilities, which grievously affected the interests of trades unions. Being tainted with illegality these unions were unable to protect themselves against the dishonesty of their officers, or to enter into any binding contract. The Friendly Societies Act, which was the first attempt to relieve trades unions of some of their disabilities—if, indeed, it was intended to affect them in any way, and this was a moot point—had a clause giving societies, "not being illegal," the benefit of certain remedies against defaulting or dishonest servants. The question of the legality of the trades unions, which involved their right to avail themselves of this provision of the Friendly Societies Act, was discussed and decided by the cases of "Farrer *v.* Close," and "Farrer *v.* Hornby," in which cases the Court of Queen's Bench confirmed the decision of the local magistrates, to the effect that the trades unions could not prosecute an official who had embezzled funds, for the reason that those funds might have been applied for the purpose of maintaining a strike. But the Judges were not unanimous, and the opinion of Mr. Justice Hannen had so important a bearing on the question that he should venture to quote his words. The learned Judge said

> "The tendency of this rule undoubtedly is to support and maintain the strike for a longer time, and so to increase the chance of the men obtaining the object of the strike. This, it is alleged, is in restraint of trade; that is, it disturbs the course, and postpones the effect of competition among the men, which, if left to itself, might sooner compel them to return to work, and this, it is contended, is contrary to public policy. I think that our judgment ought not to be based on this line of argument. By the expression that a thing is contrary to 'public policy,' I understand that it is meant that it is opposed to the welfare of the community at large. I can see that the maintenance of strikes may be against the interest of the employers, because they may be thereby forced to yield, at their own expense, a large share of profit or other advantage to the employed; but I have no means of judicially determining that this is contrary to the interest of the whole community; and I think that in deciding that it is, and therefore that any act done in its furtherance is illegal, we should be basing our judgment not on recognized legal principles, but on the opinion of one of the contending schools of political economists."

From disabilities like these the Royal Commissioners were unanimously of opinion that trades unions should be relieved, and they proposed to extend a full measure of protection to their funds. In fact, the law as it stood is one-sided and unjust. For while nearly every combination of workmen in furtherance of their objects was held to be a conspiracy in restraint of trade, and therefore criminally punishable, precisely similar acts committed by a master escaped the notice of the law, as not involving the offence of conspiracy. But, in fact, the employer of some thousands of workmen was, in himself, a combination. Within the last 10 days a case in point had come officially within his cognizance. The owners of a colliery in Staffordshire dismissed two men who had charge of an engine used to raise men out of the pits, and replaced them by two other men who had very little experience, and who, on several occasions, endangered the lives of the workmen. The men, considering their lives to be imperilled, made a representation for the removal of the incompetent enginemen; but the owners refused to accede to the request. In consequence of a request preferred to the Home Office, an Inspector was sent to the spot, who reported that the charges of incompetency brought against the newly employed engine-tenders were true. Thereupon the two were dismissed, and one was subsequently summoned for neglect of duty and fined. In that case, if the workmen whose lives were endangered by the employment of the incompetent engine-drivers had refused to work they would have rendered themselves legally responsible under the laws relating to combinations, and liable to punishment; while, in a moral point of view, they were fully justified in so doing. Probably they would not have been punished severely; but still that was the actual state of the common law. Yet the master, with perfect safety to himself, could dismiss any number of men, for reasons most inadequate, without incurring any liability. In order to remove another grievance, much complained of, and enable trades unions to protect their funds, the right hon. the Recorder introduced a Bill enabling members of trades unions to prosecute any of their officers who might embezzle their funds, notwithstanding that it had been held that the accumulation of funds in the hands of such societies for the purpose of maintaining strikes made them illegal societies. But the means of redress provided by the right hon. and learned Gentleman were not summary—they were circuitous and expensive; and, as the unionists required a more convenient remedy, he himself (Mr. Bruce) brought in a Bill in 1869, and continued it in 1870, declaring that trades unions should have the same summary means of proceeding against their defaulting officers which was possessed by friendly societies. But, although that grievance had been dealt with, there were others that had not hitherto been remedied. By the law, as it at present stood, these bodies could enter into no binding contract with any third person. Their secretary could not recover at law the salary which might be due to him for his services; nor could the union maintain an action against their bankers for money deposited on their account; while, if they rented premises for the purposes of their society, in case of dispute with their landlord they were without any remedy at law. To remove these disabilities was one of the objects of the Bill. The Bill also proposed to deal with the criminal law as it affected trades unionists and other workmen, whether acting in combination or singly. The hon. Gentleman the Member for Frome (Mr. T. Hughes) had, in 1869, introduced a Bill which, besides relieving trades unions from their civil disabilities, repealed the 6th George IV., and left the offences therein specified of workmen against each other, or against their employers, to be dealt with by the common law — that is, by indictment. No doubt there were many of the graver offences, such as murder, outrages against the person, and injury to property, which were punished with sufficient, if not occasionally with excessive, severity under the general law of the land. The repealed Act of 5th George IV. empowered the magistrates to inflict a summary imprisonment of three months in case of violence to the person, or injury to property; of threats or intimidation; in furtherance of the objects of unions; or in interference with the employment of labour. The alteration introduced by that Act was simply that the magistrates could give three months imprisonment in cases of violence, or injury to property, where before they could only have given two, while it gave summary jurisdiction in the cases of intimidation and threats, instead of merely binding over offenders to keep the peace. These summary powers were considerably extended by the Act of 6 George IV., which first introduced the offences of "obstruction" and "molestation," and the complaints against this Act were—first, that its provisions were levelled against one particular class of men; and, next, that the offences created by it were so vague and general that the powers conferred upon the justices were liable to abuse. The proposal that he had to make on the part of the Government was, that with respect to all conspiracies in restraint of trade, with the exception of a few matters to which he would subsequently refer, the 6th George IV. should be absolutely repealed, and that the trades unions should thereby be relieved of the majority of those disabilities. The Act of George IV. would accordingly be repealed; but the Bill he was asking leave to introduce would, though re-enacting the offences mentioned in the Act, endeavour to deal with these terms in a more defined form, so as to exempt the law from what he regarded as the just censure to which it was now exposed. The way in which they proposed to deal with the matter was as follows:—Threats and intimidation under the 6th George IV. were considered by Lord Cranworth to have immediate reference to the words which preceded them, and only to be offences when they were levelled at person or property; but that opinion had been pretty generally overruled, and the interpretation given by Sir William Erle accepted—

> "Threats to bring any form of evil on a man, it matters not what degree of evil, and the evil may be inflicted in respect of the manifold interests relating to person, property, reputation, or affection."

What had been the consequence of that very wide definition? One of the most constant sources of prosecution had arisen from notices of strikes served upon masters, and these were held to constitute "intimidation" under the Act. Undoubtedly, a notice of a coming strike might be conveyed to a master in a very threatening manner; but it might also be given solely with a peaceful object, and by way of information—in fact, one or two cases had occurred where men had been imprisoned on this account, although it was acknowledged that the notices had been given in a most respectful manner. One of the witnesses before the Commission, a Mr. M'Donald, who was secretary to the House Painters Union at Manchester, stated that on one occasion one of the members of the union to which he belonged had spread a report that another member was a convicted thief. The subject was inquired into—it being one of their rules that all the members should be persons of good character, and the story was ascertained to be false. The person who circulated the calumny was called upon to pay a fine, and refused to do so. The members of the union then had recourse to a proceeding which he (Mr. Bruce) for one, did not for a moment defend. Mr. M'Donald was directed to call upon the master, and tell him that unless this man was dismissed the other workmen would give up their employment. Mr. M'Donald's argument was this—Under any circumstances these men would have refused to work in this man's society; if these men had left their employment without stating the reason, the master might afterwards have said—"Why did you not tell me what your difficulty was? If you had stated to me what had occurred, there would have been no trouble, for I should not have retained the man in my employment." And yet, as Mr. M'Donald stated, such an explanation might have subjected the workmen concerned in it to imprisonment. In the Bill he (Mr. Bruce) was asking leave to introduce, it was proposed that threats and intimidation should be punishable summarily, but only in those cases in which, apart from the Act of George IV., they would have subjected the offenders to be bound over to keep the peace—namely, where violence was threatened to a man, his wife or child, or where the threat was to burn his house. Now, as to molestation, the definition given by a learned Judge was "anything unpleasant or annoying to the mind operated on," and the following acts had been held to be acts of molestation:—Persuading men to leave work in breach of contract; persuading men to leave work not in breach of contract where the strike did relate to questions of wages or hours; black looks; unpleasant words or catechizing a workman short of abusive language or gesture; acts not sufficient to be an actionable nuisance to residence; acts not sufficient to be an actionable damage to reputation. Now he (Mr. Bruce) was not prepared to say that there were not many acts of molestation from which workmen, in his opinion, ought to be protected by law; but still there was much in the present state of the law that was justly open to complaint, and the object of the Government in the alterations which they proposed to introduce was to remove this hardship, and to define those offences in which it was, as they thought, the province of the law to interfere. The manner in which the Government proposed to act was to define the offences selected from among a large catalogue of similar offences as being those which, without involving actual violence, were open demonstrations akin to it, grave enough to justify the interference of the law. They proposed that a person should be deemed to be a molester or obstructer of another person in any of the following cases:—if he persistently followed such person about from place to place; if he hid the tools used by such person; if he, with two or more other persons, watched or beset the house or other place where such person resided, or worked, or happened to be; or if he followed such person persistently about the street. But these things were not to be sufficient to constitute the offence, unless it were proved that the object were to coerce the workman for the purpose of inducing him to leave his employment, or not to accept employment, or to induce masters to alter the number or the description of the persons they employed, or to prevent the doing of some other lawful act. So far with respect to the alteration of the Act of George IV. As regarded the removal of the legal disabilities of trades unions, one object of this Bill, as he had just stated, was to remove these disabilities so far as regarded contracts entered into by trades unions with third parties. At present, trades unions were wholly illegal; and, being so, every agreement, however innocent in itself, was tainted with illegality. The Bill did not propose to legalize what might be called primary contracts—such as agreements not to work or not to employ—and no person will be entitled to sue for benefits to which he is entitled under a contract with a trade union. If such contracts were enforceable, our Courts of Equity might be called upon to enjoin masters against opening their works, or workmen from going to work, or discontinuing a strike; whilst our County Courts would have to make decrees for contributions to strikes, or to enforce penalties from workmen who had felt it their duty to resume employment. It was not proposed to place trades unions, therefore, in all respects on the same footing as friendly societies. It was not the opinion of Mr. Harrison, who so ably represented the trades unions on the Commission, that the law should be altered to that extent. Mr. Harrison had stated so clearly the reasons for that opinion that he could not do better than quote his words—

> "A very serious question arises here as to whether legislation of a far more comprehensive character is not needed to place trades unions on a full legal footing, whether, in fact, a complete statute should not be enacted, analogous to the provisions of the Friendly Societies Acts and the Joint Stock Companies Acts and the like, by means of which uniform rules would be framed for the formation, management, and dissolution of these associations, and by which they would be enabled to sue and to be sued by their members, to recover from members their contributions or fines, and be made liable to members for the benefits assured. We are inclined to believe that the time has not yet come, if it ever come, for any such statute. The amount of feeling which this question arouses on both sides, the great irritation of those who have suffered by trades unions, and the extreme jealousy on the part of their members of State interference, would, we are convinced, render the attempt to pass such a measure impracticable. We are far from seeing any certainty that such an Act is even ultimately desirable. Trades unions are essentially clubs and not trading companies, and we think that the degree

of regulation possible in the case of the latter is not possible in the case of the former. All questions of crime apart, the objects at which they aim, the rights which they claim, and the liabilities which they incur are for the most part, it seems to us, such as Courts of Law should neither enforce, nor modify, nor annul. They should rest entirely on consent."

It was in accordance with that opinion that the measure of the Government had been framed. With respect to registration the recommendation of the Commission was that the rules and accounts of these societies ought to be made public. The Bill, however, made registration optional; but it afforded particular advantages to such societies as registered themselves and published their accounts. Those societies would have remedies similar to those of friendly societies—that is to say, summary means of prosecuting those who might defraud them of their property, or retain it in their possession. The societies, on the other hand, which should not register themselves and publish their accounts would have to avail themselves of the more circuitous mode of redress afforded by the Act passed by the right hon. Gentleman the Recorder of London in 1868. He did not think there would be any objection on the part of trades unions in general to register themselves. Such were the general provisions of the Bill. The question of trades unions was one of extreme difficulty in its bearings on society. The objects which those unions had in view were on the one side regarded with the greatest interest and favour, and on the other they were viewed with great dislike and alarm. No doubt some of the regulations made by trades unions were very objectionable; but there were others which involved principles of the greatest importance to the working classes, for watching over whose interests they were originally created. In general they were friendly societies, and something more, and that something more seemed to him one of the most valuable parts of the institution. If hon. Gentlemen would read the evidence taken before the Commissioners as to the proceedings of the Engineers, for example, they would find that one of the principal duties and employments of the union was to watch over the interests of their fellow-workmen, to find out where the demand for labour was plentiful and where it was deficient, and to give information and so to provide for its distribution. Now, when hon. Gentlemen considered the great hardships which working men suffered without any fault of their own; the terrible fluctuations of trade to which they were subject; how the introduction of machinery, which went so far to cheapen commodities and confer great benefits on society, often had the immediate effect of inflicting grievous injury upon them, it must be admitted that any institution which had for its object the removal, or, at all events, the diminution of those evils, the distribution of labour where labour was required, and the relief of men suffering from want of employment, was worthy of the respect and sympathy of that House. He had been struck by the hardships to which workmen were often reduced from the fluctuations of trade. Over and over again men had been brought before him, and no doubt before other hon. Gentlemen, charged with having left their wives and children on the parish; and their defence was that they had been out of work for weeks, that they gone to some place where they had heard there was a demand for labour, that their resources were exhausted before they left home, and the consequence was that their wives and children had become chargeable. Assuredly, then, an institution which furnished men with the means of seeking labour where labour was in demand was one which deserved some consideration at the hands of the Legislature, and was worthy of their respect and support. He had admitted that there were other regulations of the unions which were not so susceptible of defence—such as those which interfered with the labour of children, which prevented the employment of certain persons, or dictated the terms on which they should be employed. Rules which limited the number of apprentices in one trade could not but have the effect of overcrowding others, and the general suffering was thus increased. But the question was, whether these were matters for interference by means of penal laws? Were they not really points which in the long run must be settled between the employers and the employed? Had not all the penal legislation on this subject proved utterly ineffectual to eradicate economical fallacies, or to prevent efforts being made to give them practical application? When Sir Robert Peel introduced the Act of 1825 he foresaw that it might be a failure—he knew that it dealt only with a superficial part of the subject, and that all the causes of disagreement between the masters and workmen still remained in force. On that occasion he used these words—

> "In such cases, all that he could do was to advise the masters to enter into counter-combinations, by which they might succeed in defeating the objects of the men. That they might succeed by such counter-combination there could be no question; but, then, the feeling of amicability and good faith, which ought to exist between masters and men, would be destroyed; and he therefore gave such advice with the utmost reluctance, because he felt that by establishing these counter-combinations the amount of evil was only increased; and yet, without them, the masters, under the present system, could have no protection.'

It appeared, therefore, that Sir Robert Peel contemplated a state of chronic warfare between masters and workmen as the only resource, should the Act which he introduced fail in repressing the mischief it was devised to remedy. But the failure of the law to remove the evils which flowed from the discussions between masters and workmen had suggested other and more promising means for securing a peaceable solution. The system of voluntary arbitration was rapidly spreading, and commending itself to the adoption of both parties. He felt bound to add, that if the efforts of such men as his hon. Friend the Member for Sheffield (Mr. Mundella), the hon. Member for Frome (Mr. T. Hughes), Mr. Rupert Kettle, Mr. David Dale, and others who took an active part in the question, should result in putting an end to those evils, they deserved to be regarded as among the greatest benefactors of mankind. Disputes between master and servant, such as those which he had described, did not cease in their effects with the moment. He had known men who had for years suffered from the consequences of having joined in strikes, employers were ruined or impoverished, and the sources of further employment thus dried up. It was not, however, he was afraid, by means of penal enactments that such a state of things was to be terminated. It was rather by making the law neutral between both parties; by taking care that it should in all respects be just and equal; by promoting in every possible manner a good understanding between them; and by leading them to arrange, so far as that could be done, their disputes among one another rather by force of reason than by force of law. Such was the object which was sought to be attained by the present Bill, which would, he believed, be hailed with as much satisfaction by the employers of labour as by the workmen. The former did not, he was sure, wish to subject the latter to unjust treatment; nor was it to the law, he believed, they looked for protection or for a career of future prosperity. They desired rather to be regarded by those whom they employed with confidence; to be served with a cheerfulness which could only exist when the law was just in its operation, and when there existed between themselves and their workmen that thorough understanding and mutual interest which would be so conducive to the benefit of both. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. T. HUGHES expressed his cordial thanks to his right hon. Friend for having introduced the Bill. He sympathized entirely with him in his introductory remarks as to the time which it had taken to bring the question into its present position. As it happened, it was this month 20 years that he himself had first gone with a deputation to a predecessor in Office of the right hon. Gentleman on the subject; and since that time no year had, he believed, passed without an application in connection with it having been made to the Home Department. He was glad to find that the Bill of the Government would deal with the whole question, and that in a manner likely to be satisfactory to both employers and employed. The Bill had, in his opinion, many recommendations—some of them of a negative character. It made, for instance, no attempt whatever to separate the funds of trades union societies into those subscribed for trade and those subscribed for other purposes. To make such an attempt would, he was convinced, be fatal to any measure, and would not be accepted by the unions, whatever benefits the Bill might confer in other directions. The Bill was also good in so far as it did not seek to limit the freedom of the men in following their own interests by combining, so long as they kept within the law. As to the affirmative side of the measure, it contained, if he understood it rightly, a great many provisions which he should like to see in operation. It secured entire protection to the funds of trades unions, and gave to those societies such a legal status as would place them in the position which they ought to hold in the country as powerful and well-organized societies. He was happy to find that his right hon. Friend had adopted the suggestion of combining with the boon of registration the necessity of publicity, for the more these societies could be brought under the eye of the public the less fear of them would be entertained. It gave him, further, great satisfaction to perceive that the Bill would sweep away the old statute of George IV., which had been very properly designated as a solemn duelling code between the employers and the men, while it was drawn up entirely in the interests of one side. His satisfaction, however, had been somewhat diminished on hearing his right hon. Friend state that it was intended to revive a portion of that Act, which had been the cause of much mischief in times past. He referred to the two offences which were created by the statute of George IV., and for which penal sentences for three months were inflicted. Those offences, which were new to our statute as well as to our common law, were what were known as molestation and obstruction; and since the passing of the Act the offences which came under those heads had been visited severely in numberless cases on the working classes, while there was not a single instance in which an employer had been convicted. The words had continued to be a bone of contention throughout, and he thought it would have been much better if his right hon. Friend had confined the penal clauses ~~in~~ his Bill to intimidation and threats of violence, and had left out the words molestation and obstruction, which it was, he believed, impossible for his right hon. Friend or anybody else to define. As it was, he feared a recurrence of such cases as that of "Reg. *v.* Hinchcliff," in which four months' imprisonment were inflicted on several men for crying "Baa! baa! black sheep!" when some men who had gone to work were passing in the street. With that exception he looked on the Bill with the most cordial approval, and he hoped the Government would be able to add it to the great measures of the last two Sessions.

Mr. HERMON congratulated the Government on having been able to lay the Bill on the Table at so early a period of the Session; and, while anxious that there should be no delay in taking the second reading, trusted sufficient time would be given both to employers and workmen to make themselves acquainted with its details before that stage arrived, and thus rendering more probable a settlement which would be satisfactory and final. The right hon. Gentleman said the Bill would operate with perfect justice as between the master and the men. If this measure accomplished the objects which it aimed at, it would be looked upon as one of the greatest boons which this country had received; and, in saying this, he spoke for the employer as much as for the workmen themselves, for nothing could be more detrimental to the prosperity of trade than continual outbreaks occurring with respect to one or other of its branches. It was his happy lot never to have received notice of a strike from his own people, and he trusted that the operation of this Bill would bring about that confidence between employer and employed that would enable them in future so to determine questions of wages as to avoid those serious periodical collisions which brought destruction to the peace and happiness of the homes of the poor and disturbance of all comfort and happiness on the part of those who employed them. Taken in connection with the Education Bill, which the Vice President of the Council had the good fortune to pass last year, he believed the effect of this measure would be greatly to enlighten the working population of the kingdom, and he trusted that the joint operation of these two Acts would put far away for the future the sad experience of former times.

Mr. MUNDELLA also begged to thank the right hon. Gentleman for having brought in this measure at the earliest possible moment, and thereby afforded a fair opportunity of legislating upon a subject which it had been impossible to take up during the last two Sessions. He expressed a hope that it would be found to contain nothing vague or exceptional with regard to acts which were construed into offences under the terms "molestation" and "obstruction" by the Act of George IV.; but, on the contrary, that it would do its work thoroughly and remove the bitterness which had existed for 50 years. From his intimate acquaintance with trade unions he was aware, of course, that there was a great deal about them which was coarse and objectionable; but when the Report of the Truck Commission was produced, it would be found how much misery, oppression, and injustice existed in places where there were were no trade unions. There was another feature in connection with them—that they afforded the only machinery for getting at the workmen of any trade *en masse* with a view to arbitration and conciliation. As an instance of what could be accomplished in this way, he mentioned that the hon. Member for Frome (Mr. T. Hughes), by his labours in a court of arbitration, within the last few days, had settled the question of wages in a town formerly torn by strikes to the entire satisfaction of both masters and workmen until March, 1872. The countries both of Europe and on the other side of the Atlantic were looking to England to devise the means of bringing about a good understanding between employers and employed. In this matter we were in advance of other countries, for they had still their troubles to go through, while we had nearly come to the end of ours.

Motion *agreed to.*

Bill to amend the Law relating to Trades Unions, *ordered* to be brought in by Mr. Secretary BRUCE, Mr. SOLICITOR GENERAL, and Mr. SHAW LEFEVRE.

Bill *presented,* and read the first time. [Bill 28.]

ECCLESIASTICAL TITLES ACT REPEAL BILL.—LEAVE. FIRST READING.

THE ATTORNEY GENERAL, in moving for leave to bring in a Bill to repeal an Act for preventing the assumption of certain Ecclesiastical Titles in respect of places in the United Kingdom, said, as the Bill was substantially the same as that of last year, he would postpone any remarks which he might have to make until the second reading.

MR. NEWDEGATE observed that the Bill was not discussed last year until the 5th of August, and during the discussion there were never 150 Members present. It might be useful that he should advert to the history of this proposal. In 1867 the House appointed a Committee, which sat during the greater part of the Session on the subject of the Bill now introduced, and reported in favour of the repeal of the Ecclesiastical Titles Act by a majority of one. In 1868 the House of Lords appointed a Committee to consider the same proposal, and the Committee reported against the repeal. Early last Session a Member of the Government (the Earl of Kimberley) introduced a Bill into the House of Lords. The second reading was strongly objected to, and in Committee the first clause, which contained the principle of the Bill, was essentially altered. In that state the Bill reached the House of Commons, and was not debated or considered in any way until nearly the end of the Session. The second reading was then carried by the Government, and in Committee they introduced the very clause which the House of Lords had struck out. Several other Amendments were proposed, which the Government rejected, and the Bill was sent back to the Lords; where it was dropped. If the Bill was the same as that of last Session, it dealt with two different subjects. First with the disability created under the Irish Church Act of the Session before last, whereby the successors of the present Bishops of the disestablished Church would be forbidden to call themselves by the titles of the sees of those whom they will have succeeded, these titles having been originally conferred by the authority of the Crown. The other object of the Bill was far more objectionable, for it would sanction the assumption of territorial titles by the nominees of his Holiness the Pope. Now, considering what had passed in the Œcumenical Council, which had become fully known since the sitting of that council, he believed that, if at a former period the Bill was justly held to be inappropriate, it would be found to have become still more inappropriate now.

Motion *agreed to.*

Bill to repeal an Act for preventing the assumption of certain Ecclesiastical Titles in respect of places in the United Kingdom, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. GLADSTONE, and Mr. SOLICITOR GENERAL.

Bill *presented,* and read the first time. [Bill 27.]

CHARITIES, &c. EXEMPTION BILL.

LEAVE. FIRST READING.

MR. MUNTZ, in moving for leave to introduce a Bill to exempt Charities and Hospitals from Local Rates, said, he did not wish to enact any new or to repeal any existing law, his only object being to re-enact a statute of the 43rd year of Queen Elizabeth, which had always been supposed to exempt charities, until one of its provisions had been set aside by the decision of a Court of Law about three years ago. According to that decision charities supported by voluntary contributions were liable to be assessed to the poor rate. Great difficulties had resulted from this decision; and not very long ago distraints were issued against a charitable institution of the kind referred to, and even beds on which sick and infirm persons were lying were seized for poor rates. He might mention that when the Irish Poor Law Act was passed a special clause was inserted in it, providing that charitable institutions supported by voluntary contributions should be exempted from rates. Some persons thought a great principle was involved in this matter, and that it would be unfair to the taxpayers if all the property in a parish were not rated. He had, therefore, made the present measure different from that of last year in this respect, that it be left to the vestry and overseers to determine whether a charitable institution should be rated or not. The hon. Gentleman concluded by moving for leave to bring in the Bill.

Motion *agreed to.*

Bill to exempt Charities and Hospitals from Local Rates, *ordered* to be brought in by Mr. MUNTZ, Viscount SANDON, and Mr. WHEELHOUSE.
Bill *presented*, and read the first time. [Bill 23.]

INCLOSURE LAW AMENDMENT BILL.

LEAVE. FIRST READING.

MR. SHAW LEFEVRE, in moving for leave to bring in a Bill to amend the law relating to Inclosures of Commons, and to provide for the management of Commons situate near Towns, said, that in most respects it was the same as the Bill which was introduced last year by his right hon. Friend the Under Secretary for the Colonies (Mr. Knatchbull-Hugessen, but which, like so many other Bills, failed because its passage was blocked by other business. That Bill was founded on the Report of a Committee moved for in the previous Session by his hon. Friend the Member for Brighton (Mr. Fawcett) in consequence of numerous complaints being made that in recent inclosures the rights of the public and of the labouring poor had not been sufficiently considered. He would not now enter into a disquisition on the law of commons. It was sufficient to remark that the commons, which formerly formed so essential a feature of rural life, were lands which have remained open from time immemorial in consequence of numerous rights possessed by the inhabitants—such as turning out cattle and digging turf. It was also clear that, except under very special circumstances, inclosures could not be effected without the sanction of Parliament, and Parliament had either refused or given that sanction according to whether it would benefit the public or the reverse. The Inclosure Act of 1845 was passed with the double object of facilitating the inclosure of these lands which were better suited for cultivation, and of providing that the interests of the public and of the labouring poor should be more carefully looked after than they had been up to that time. In the Report of the Select Committee appointed in 1843 it was stated that in the inclosures which had been affected for many years prior to that date the interests of the public had been systematically disregarded. Now, the Act of 1845 instructed the Inclosure Commissioners, in the first place, to decide on the general expediency of each inclosure, and if they deemed it expedient they were to set apart a certain portion of the land, defined by the Act, for the purposes of recreation, while another portion was to be converted into allotments for the labouring poor. Since 1845 about 500,000 acres of commons had been inclosed under that Act, of which 364,000 acres were subject to common rights, and 3,671 acres had been allotted to the labouring poor. The Committee which sat two years ago was of opinion that the Act of 1845 was of too restrictive a character, and recommended various amendments to be made in it. Now, as regards the commons in agricultural districts, the Government were of opinion that no obstacle should be placed in the way of their inclosure; but that when they were inclosed the interests of the public and the labouring poor should be regarded in a more liberal spirit than heretofore. It was found very difficult, however, to lay down any general rule with regard to recreation grounds and allotments. The rules in the existing Act had, to a certain extent, failed already; and it was extremely difficult to frame any rule which would not be unequal and arbitrary. It was thought better, therefore, to require that a certain proportion should be allotted in all cases. By the present Bill he proposed to enact that one-tenth should be appropriated, according to the discretion of the Commissioners, either to public recreation or as allotments for the labouring poor. Last Session, however, he found that considerable opposition was raised to this proposal on the ground that, if in some parts of Wales, where the commons consisted mainly of mountain lands which were not generally appropriate for allotments, as much as one-tenth were required to be thus appropriated, all inclosures would be practically put an end to. In the present Bill, therefore, he proposed to make this restriction—that the amount so allotted should in no case exceed 50 acres. With regard to the quantity of land likely to become subject to inclosure or to be converted into allotments, no certain data were procurable; but from estimates made in 1845 it appeared that about 8,000,000 acres of land in this country were unenclosed and subject to common rights. Since then about 500,000 acres have been inclosed—that would leave about 7,500,000 acres at the present time; but it should be borne in mind that a considerable proportion of this was situate in the mountainous districts of Wales, Westmoreland, and Cumberland. Still there was in the cultivated districts a considerable quantity of land which might be enclosed. The estimate was that from 25 to 30 per cent of the land in the mountainous districts was uninclosed, and about 11 per cent in the cultivated districts. When those lands were in the vicinity of large towns there was a general feeling that it was desirable to leave them open instead of subjecting them to inclosure and cultivation. Consequently, the Bill of last year provided that where it was proposed to inclose commons in the neighbourhood of large towns, the Inclosure Commissioners should not act except with the consent of the local authorities. At the same time, his right hon. Friend the Member for South Hants (Mr. Cowper-Temple) brought in a Bill to extend the operation of the Metropolitan Commons Act of 1866 to the commons in the neighbourhood of all large towns, to prohibit the Commissioners from entertaining any proposal for the inclosure of lands within a certain distance from large towns, to provide for their better management, and for the prevention of nuisances upon them. That measure passed the second reading by a considerable majority, and most of its provisions were incorporated in the Bill which he now asked for leave to introduce. The chief objection to the right hon. Gentleman's Bill was that it had reference not merely to commons in the neighbourhood of large towns, but also to commons of which only a very small portion might be within the proposed limits. An example of these might be found in the large common known as Cannock Chase. The limits within which it was proposed by the Bill that inclosures should not be made were one mile from the centre of a town of 5,000 inhabitants up to five miles from a town of 100,000 inhabitants. There would be no invasion of rights already possessed, but simply a restriction of the facilities for inclosure which had been granted by Parliament in the belief that inclosure was to the interest of the public. Now that Parliament had come to an opposite conclusion, it would simply withdraw the facilities it had granted, and would direct the Commissioners not to entertain applications for inclosure within those limits. With regard to commons near large towns, means were taken to provide for their improvement and the abatement of nuisances. The hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. WINTERBOTHAM said, he was sorry the Government had not gone more boldly to the task. Any restrictions to be placed on the facilities for inclosure recklessly granted by Parliament in bygone years would be welcomed, for those facilities were given not for the protection of existing rights, but for the acquiring of new ones at the expense of the public. The process of inclosure was one which, sooner or later, must come to an end; it was one in which generations to come were interested, but in which they would find they had no voice.

SIR HENRY SELWIN-IBBETSON said, although there might have been instances in which the public had suffered by inclosure it should be remembered that it was very desirable that waste land should be brought under cultivation. The bringing wild and common land into agriculture was of advantage equally to the labourer to whom it gave employment, and to the public who derived an increased amount of food. The distinction in this measure between rural and suburban commons made it an improvement upon the Bills of the last two Sessions.

MR. FAWCETT said, it could easily be proved that reckless inclosure was one cause of the unsatisfactory condition of our rural population. Up to this Session successive Governments had treated the subject with contempt, and any effort to prevent the passing of Inclosure Bills was regarded almost as unparliamentary. Two years ago, when it was proposed to enclose 6,900 acres, only six were reserved for the poor; and yet it was necessary to resort to all forms of Parliamentary procedure to impede the progress of such a Bill, and it was with the utmost difficulty that it was prevented from passing into law. The hon. Member in charge of this Bill would certainly do as much for the poor and the public as his Colleagues would permit him to do. In some cases the allotment for the poor ought to be more than a tenth, and therefore, after the passing of the Bill, watchfulness would still be required to see that the public did not suffer through the adoption of an arbitrary line.

Mr. MACFIE said, that six miles from Birkenhead there was a hill which commanded a fine view of the estuaries of the Mersey and the Dee, and from which the Isle of Man could be seen; this hill had been inclosed because the local inquiry was confined to the spot, whereas those who suffered by the inclosure were the people living within a radius of half-a-dozen miles. Nor had care been taken to preserve the pathways that were open for Saturday afternoon walks.

Mr. WHITWELL pointed out that great care ought to be taken to preserve footpaths and rights of way over the mountainous districts of Wales and the North of England, or great loss and inconvenience might arise to the inhabitants, and hon. Members might find their autumnal enjoyment interfered with.

Mr. SHAW LEFEVRE said, the Bill provided for the cases just named, and greatly increased the powers of the Commissioners in respect of roads and footpaths across places proposed to be enclosed. Power was also given to allow anyone who wished to do so to leave his allotment open to the public. In no case would the allotment for the recreation of the poor exceed 50 acres.

Motion *agreed to.*

Bill to amend the Law relating to Inclosures of Commons, and to provide for the management of Commons situate near Towns, *ordered* to be brought in by Mr. Shaw Lefevre and Mr. Secretary Bruce.

Bill *presented,* and read the first time. [Bill 32.]

Standing Orders—Select Committee *nominated.*

Selection—Committee *nominated.*

COUNTY PROPERTY BILL.

On Motion of Mr. Stopford Sackville, Bill to provide for the vesting of County Property in the Clerk of the Peace for the county, *ordered* to be brought in by Mr. Stopford Sackville, Mr. Hunt, and Lord Henley.

Bill *presented,* and read the first time. [Bill 29.]

COUNTY COURTS (JURISDICTION AND PROCEDURE) BILL.

On Motion of Mr. Norwood, Bill to extend the jurisdiction and amend the procedure of the County Courts, *ordered* to be brought in by Mr. Norwood and Mr. Whitwell.

Bill *presented,* and read the first time. [Bill 31.]

GAME LAWS AMENDMENT BILL.

On Motion of Mr. Hardcastle, Bill to amend the Laws relating to Game, *ordered* to be brought in by Mr. Hardcastle, Mr. Leatham, and Mr. Straight.

Bill *presented,* and read the first time. [Bill 30.]

PRINCESS LOUISE ANNUITY BILL.

MESSAGE FROM HER MAJESTY.

Resolution *reported,* and *agreed to:*—Bill *ordered* to be brought in by Mr. Dodson, Mr. Gladstone, and Mr. Secretary Bruce.

Bill *presented,* and read the first time. [Bill 24.]

House adjourned at a quarter after Seven o'clock.

HOUSE OF COMMONS,

Wednesday, 15*th February,* 1871.

MINUTES.]—Public Bills—*Ordered*—*First Reading*—Customs and Inland Revenue Act (1870) Extension * [33]; Registration of Deeds, Wills, &c. (Middlesex) * [36]; Private Chapels * [37]; Public Prosecutors * [35]; Juries Act (1870) Amendment * [34].

First Reading—Habitual Drunkards * [38].

Second Reading—Marriage with a Deceased Wife's Sister [2].

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL—[Bill 2.]

(*Mr. Thomas Chambers, Mr. Morley.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. T. Chambers.*)

Sir HENRY SELWIN-IBBETSON, in moving that the Bill be read a second time upon this day six months, said, that, considering the frequent discussions which had taken place on the subject, and that every argument on either side of the question had been exhausted, he should not deem himself justified in detaining the House more than one or two minutes. He regretted that some hon. Gentleman who had taken a more prominent part in their discussions on this question had not given Notice of an Amendment to the Motion of the hon. and

Mr. Fawcett

learned Member for Marylebone (Mr. T. Chambers). Feeling, however, strongly on the subject, and knowing that a great many hon. Members concurred in opinion with him, that a measure of this great importance should not be allowed to pass *sub silentio*, he no longer hesitated to place upon the Paper his Notice of Amendment. Having given this brief explanation, he felt that he should be studying the feelings of hon. Members on both sides of the House by simply moving the rejection of the measure.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir Henry Selwin-Ibbetson.*)

MR. KNATCHBULL-HUGESSEN said, that though he did not intend to take part in the discussion on this question, he considered that it would be not acting respectfully either to the supporters or opponents of the measure if the House were to come suddenly and unpreparedly to a division upon it. Inasmuch as an important meeting was announced for to-morrow on the subject, he was in hopes that the hon. Baronet would have been induced to take the wiser and more respectful course of deferring his opposition to the Bill, until, at all events, the result of such meeting was ascertained. Notwithstanding, however, the hasty opposition of the hon. Baronet, he (Mr. Knatchbull-Hugessen) was still not without hopes that, considering the frequent decisions of that House upon the question and its present aspect, those hon. Gentlemen who had hitherto opposed this relaxation of a vexatious restriction would come to the conclusion that they had fought long enough against a relaxation which had over and over again been carried in that House, and which had been carried by a larger majority than ever in a Parliament elected by household suffrage. Every argument for and against the Bill had frequently been adduced; but when he considered that the question was looked upon with great interest by a large body of hon. Members and a very large party in the country, he could not but feel that it would be wrong that the second reading of the Bill should be taken without even the slightest discussion. No doubt it was a very serious thing to alter the marriage laws of the country. He could quite appreciate and understand the feeling of those who urged that view; but the proposition before the House was not a hasty, sudden, or ill-considered alteration of those laws, but an alteration which had frequently been pressed upon their attention, which had the support of a very large number both of clergy and laity, and which was regarded with great anxiety by a considerable portion of the community. The Bill was not likely to be a subject for popular agitation. The sufferers under the present system were not so numerous or so influential as to command a popular agitation, and that which, under other circumstances, would have been deemed tyrannous, might still longer be endured without that agitation to which he had alluded. That there should have been wrong done to even one person in this country was, however, a subject worthy of the consideration of the House; but in this case wrong had been done to a large number of persons. Here were certain marriages, the contractors of which were received in society, and were not considered in any respect as having done anything unlawful, although they might be considered by certain religious communities to have offended against the laws of those communities. The question was whether, because a man did that which was legal in many other counties, and which was regarded as no offence against the social law of his country, there should remain upon the statute book a law which inflicted upon him as cruel a punishment as could be inflicted. He himself knew of individuals having gone abroad to other countries where these marriages were allowed to be contracted, and having contracted them in the belief that they would be held legal in this country. They were persons of good station in life, and above any suspicion of immorality; and although they had taken every precaution to fulfil the law by a decision given in the Courts of Law a few years ago, their issue had been bastardized and the marriage declared null. The burden did not rest upon persons in the upper and middle classes of society. Although he objected to the use of cant phrases in that House, yet it could not be denied that this was a "poor man's question," and one which, as such, ought to be dealt with carefully and tenderly. He had been told that the women of England were against the granting of this relaxation of the law of marriage, and no doubt where the influence of persons in Holy Orders had been brought to bear the feeling of the female population was against it. He did not believe, however, that the women were at all so unanimously opposed to the Bill as was generally imagined. It had been urged that if these marriages were allowed the unmarried sister of the wife would be placed at a great disadvantage, and under circumstances of suspicion, and that, in fact, she would not be asked to stay in the house of her married sister because there would be a suspicion around her, and that jealousy would arise, and the happiness of homes be interfered with. That was simply a libel upon the women of England. He believed that a woman who would be jealous of the sister to whom her husband might be married after her decease would be equally jealous of her under existing circumstances. He did not believe that, in this respect, this alteration would make the slightest difference among the working classes, where these marriages were very frequent. He knew it to be the case that in many instances the wife on her death-bed asked her husband to marry her sister, and to take that sister as a stepmother to his children in preference to any other woman. It was not an unnatural conclusion that that stepmother would be more inclined to love the children than any other woman would. He had known many curious instances of hardship occurring from the existing state of the law. In once instance a yeoman, dying, left his farm to his three daughters jointly whilst unmarried. Two of the sisters married, and one of them dying, her husband married the third sister, who refused to give up the farm when called upon to do so, on the ground that although she was married the marriage was illegal. That, of course, was only one of the many ridiculous circumstances created by the present law. He looked upon this question as a Churchman, and he believed that it was an injury to the Church of England to have this restriction preserved. He felt that, living in a country where religious freedom was boasted of, the Church of England would act harshly and ill-advisedly in endeavouring to force its restrictions on those who were not members of her communion. The canon laws of the Church were talked of, but if a poor man who was asked by his wife on her death-bed to take her sister after her decease were talked to about the canon laws, he would reply that there was something far higher, and, unless he were shown something more valid than a relic of ecclesiastical tyranny, he would not be bound by the canon law. This relaxation of the law had been asked for by many thousands of the people, and it had been pressed upon the attention of the Legislature over and over again. He did not say that there might not be other restrictions which might be removed; but this was a great grievance, and minor grievances would not be prevented from being brought forward by refusing to redress that which was an undeniable grievance. By granting this relaxation the House would be granting a great boon to the country. It was a question of civil and religious liberty which was deeply infringed by imposing upon the people of England a restriction which was not justified by common sense, by reason, or by the will of the people, whilst it was not imposed by other countries, and was contrary to the convictions of many of the clergy and laity and against the unanimous feeling of all the Nonconformist bodies in the country. He would not touch upon the religious part of the question, for whatever opinions a man might hold on religious subjects he had no right to force them down the throats of other people. The Church of England existed by the good-will of the people, and that good-will would not be strengthened by the continuance of this restriction. It was a significant fact that it was by the votes of the Bishops that the Bill had previously been prevented from becoming law. The whole subject had been frequently argued, and the arguments appeared to be so overwhelming in favour of the Bill that he thought the House would sincerely and heartily vote for it.

Mr. MONK said, he did not rise for the purpose of prolonging any debate upon this well-worn subject. He had great doubts whether the hon. Member for West Essex (Sir Henry Selwin-Ibbetson) had adopted a wise and judicious course in moving the Amendment. The House having on several occasions, by large majorities, expressed its determination that this Bill should become law, he (Mr. Monk), for one, thought that any further opposition in that House was both useless and injudicious.

Whilst saying that, he might observe that his sentiments upon the question had undergone no change. He believed, in unison with many hon. Members, that the removal of the restrictions asked for would tend to sap the foundations of society, and interrupt the social intercourse which now so happily existed in the most intimate family relations. He could not, however, shut his eyes to the fact that the measure was largely demanded out-of-doors. He had on different occasions strenuously opposed the Bill; but he had done so fairly, and on Motions for Adjournment he had generally voted with the hon. and learned Member for Marylebone (Mr. T. Chambers). The time had now come when it ought no longer to be opposed in the House of Commons, and if the battle was to be fought at all, as he hoped it would be, it should be in "another place." He, however, appealed to the Government to bring in a far more comprehensive Bill than that before the House; one embracing the whole law of marriage, so as to touch more than one degree of affinity, in accordance with the Report of the Royal Commission to which the hon. and learned Member for Richmond (Sir Roundell Palmer) drew attention as long ago as 1869, and at that time elicited a promise from the Secretary of State for the Home Department that the Report should receive the attention of the Government with the view to legislation at an early period. He was not surprised at the omission of the subject from the Royal Speech at the commencement of the Session of 1870, seeing the business it was proposed to dispose of; but he was surprised to find it was not mentioned in the Speech delivered at the commencement of the present Session. The measure under consideration was exceptional, whereas the Royal Commissioners recommended uniformity; and he earnestly urged the Government to use their influence to set this measure aside, and to pledge themselves to introduce a comprehensive measure on an early day to establish a general law of marriage for the three kingdoms.

MR. CAMPBELL said, it was not his intention to ask the House to listen to any lengthened remarks, because he agreed that the subject had been pretty well exhausted in the two last Sessions; but he wished to remove what he believed to be a misapprehension as to the state of feeling in Scotland on the question. There was a general impression in and out of the House that the Scotch people entertained a feeling of great repugnance to the change, and were entirely opposed to the Bill; and so strong was that feeling that Notices had been put on the Paper, on previous occasions, of Amendments to except Scotland from the operation of the measure. Now, he believed that that was an entirely mistaken notion. There was no doubt — and he allowed that at once—that many years ago there was a strong feeling of opposition to this reform of the law in Scotland, but every year that feeling had become weaker and weaker, and now it was confined—so far as he could make out—to ecclesiastical circles; and when they went beyond the atmosphere of Kirk Sessions and Presbyteries there was a general feeling—he did not say enthusiastic desire—on the part of the people of Scotland to accept that change. Of course that was not very easy to prove or disprove; but he would produce two facts to substantiate the statement he had made. His first was that there were several Members of Parliament who had supported the Bill consistently during the last two Sessions, and since doing so they had visited their constituencies, and he had not heard that there was any whisper against their conduct in connection with the matter. He himself was certainly not taken to task for it, and, so far as he could gather from the newspaper reports, neither were any of the others. Another fact was this—he had taken the trouble of going over the Petitions presented to that House with regard to the Bill. He did not mean the Petitions presented in favour of it, for they knew how such Petitions were sometimes got up, and he did not regard them as a very certain index of public opinion; but taking the Petitions presented against the Bill, he found that in 1869 there were 209—of which no fewer than 118 came from Scotland. Now, that was rather a startling fact; but when he came to analyse those Petitions, it appeared that no less than 116 out of the 118 came from Kirk Sessions, Presbyteries, Synods, General Assemblies, and other bodies of that kind, and there were only two Petitions which represented the general feeling of the people of Scotland. One of those Petitions came from Irvine, with

52 signatures, and the other under the somewhat pretentious title of "the Petition of Noblemen and others of Scotland," was signed by 115. Last year he found the total number of Petitions against the Bill was 56, of which 53 came from Scotland, and 49 out of these were from Kirk Sessions, Presbyteries, and so forth. Another came from a small parish, and had only 22 signatures. There was another from the Scottish Branch of the Marriage Law Defence Association. Then there was one from Rothesay, and another from the Town Council of Edinburgh. The Petition from the city of Edinburgh rather surprised him, but any conclusion founded upon that Petition might be modified when he said there was a counter-Petition sent from the numerical majority of the Town Council stating that the former Petition was smuggled through when there was only a small attendance. There was this further somewhat significant fact, that, out of a total of 171 Petitions from Scotland, 165 of which were ecclesiastical Petitions, 103 came from the Free Church of Scotland. He did not disparage the authority of those bodies, and did not wish to undervalue the weight of their influence in Scotland, or say one word against their raising their voice on any subject they thought fit; but the view they took of such a question—without speaking disrespectfully — was somewhat narrow, technical, and professional, and this was not the political view. The Scriptural argument was pretty generally given up, and it must be remembered they were not there as the governing body of a religious community, laying down rules for the guidance and discipline of its members, but as a civil Legislature, determining what was best and most expedient for society and for the State. That made all the difference. It would still be in the power of those bodies to restrain their followers from contracting those marriages, even should the Bill be passed; but he hoped the House would cease to interfere with the liberty of any man or woman to contract what marriage they pleased so long as they did nothing to disturb society. For those reasons, and acting as he believed consistently with his position as a Scotch Member, he should feel it his duty to support the Bill of the hon. and learned Gentleman.

Mr. Campbell

Mr. ORR EWING said, had it not been for the remarks that had just fallen from the hon. Member for the Stirling Burghs (Mr. Campbell), he should have given a silent vote against the Bill; but, as it was, he must trouble the House with one or two observations. He was very much afraid that since that hon. Gentleman had ceased to live north of the Tweed he had lost some of those good Scotch opinions which he used to entertain in his youth. He was afraid, also, that he was rather ignorant of the real state of feeling among his countrymen upon the question. He ventured to call the attention of the House to one fact in vindication of his contradiction of the assertion the hon. Gentleman had made with reference to the feeling of the Scotch people. They all knew that the people of Scotland were divided in religious matters into several sects; but they knew also that by far the greater portion were Presbyterians, belonging either to the Church of Scotland or to the Free Church of Scotland; and that they might be said truly to represent the feeling of the Scotch people. They had found that Petitions had been numerously and unanimously passed in the General Assemblies of both those Churches over and over again. The hon. Member for the Stirling Burghs had referred to the Petitions from Scotland, which constituted by far the larger number of Petitions that had been sent in against the Bill, as being of no significance, because they had been agreed to by Kirk Sessions and Presbyteries. He would, on the other hand, remind the House of what was the constitution of those bodies. It ought to be remembered that the Kirk Sessions were composed almost entirely of laymen. In every Kirk Session there were 12 laymen to one clergyman; and he thought that a stronger proof of the feeling of Scotchmen on the question could not be given than the fact that those Kirk Sessions had petitioned against the Bill. The real fact was that the people of Scotland trusted to those matters being looked after by the Kirk Sessions and the Presbyteries. Consequently, upon this question they had been satisfied by having those Petitions presented by those bodies, knowing very well that they fully represented the feeling of Scotland generally. He had merely said that for the purpose of contradicting the statement made by his hon. Friend—a statement which he considered to be totally at variance with the real facts of the case as regarded the Bill.

Colonel SYKES said, he had hitherto abstained from speaking on the subject. His objection to the Bill was not based on religious but on social grounds, because during a long life he had had unfortunate opportunities of seeing the results of such a law as that which was now proposed to be sanctioned. He could confirm the statement of the hon. Gentleman who had just spoken, that the Kirk Sessions of Scotland were not absolutely ecclesiastical, but were composed of leaders from the people, and nine-tenths of them were laymen. Therefore, those 165 Petitions were the expression of the people, and not merely of the clergy. The clergy were not the majority in any Church, whether Episcopalian, Presbyterian, or Free. The people of Scotland generally were opposed to the Bill, and therefore he should not support it.

Mr. MORLEY said, that all the supporters of the Bill claimed was freedom for those who believed that marriage with a deceased wife's sister was not repugnant to religion or morality. In thousands of cases it was the most natural marriage a man could contract. He was quite in a condition to say, from his knowledge of the working classes, that in consequence of the restriction imposed by the existing law, concubinage was extending amongst them, and that they were losing their regard for the sacredness of the law of marriage. Some mode of settling the question should be discovered, for the present law led to bad results. The ecclesiastical authorities had given up the Bible argument against the proposed change. A large number of Bishops, the clergy of the Established Church, the Roman hierarchy, and the Jewish Rabbis had given expression to their conviction that these marriages were not contrary to the law of God, and it was a fact that they were sanctioned in every country in the world except Great Britain and two or three of the Colonies. The House of Commons had repeatedly passed the Bill, and he trusted it would now give its usual imprimatur in favour of an alteration of the law. He should, at all events, join the hon. and learned Gentleman in sending the Bill to "another place," in the hope that it would at last receive there the only treatment it ought to receive.

Mr. T. CHAMBERS stated that, having withdrawn the Bill in 1869 late in July, he had introduced it again in 1870, and at the earnest request of the Opposition he had postponed the second reading until after Easter to allow of full discussion. At the close of that full discussion a large majority, for the fortieth time, sanctioned the provisions of the Bill. This year he had introduced the measure at the earliest possible moment, and, fortunately, for those who desired discussion he had secured the first place on the first Wednesday of the Session for the second reading. Thinking it unnecessary to weary the House with arguments which had been repeated until there were none to reply to them, he had simply moved the second reading; but surely something more was expected of the hon. Baronet (Sir Henry Selwin-Ibbetson), who had succeded to the post assumed by a long line of hon. Members, beginning with Mr. Goulburn and Sir Robert Inglis, and coming down to the representatives of Cambridge University (Mr. Beresford Hope and Mr. S. Walpole). His predecessors had thought it due to the House to offer some reasons for the opposition they made; but the hon. Baronet thought it becoming to move the rejection of the Bill in half-a-dozen sentences. Of course, the hon. Baronet hoped to snatch a division that would have enabled an aristocratic assembly at Willis's Rooms to-morrow, presided over by the young heir to an old dukedom, to flatter themselves and blind the public by an apparent shifting of opinion in the House of Commons. Accordingly, the hon. Baronet had refrained from delivering the speech he had taken weeks to prepare, in the hopes of procuring a reduced majority at half-past 12. But he could assure the hon. Baronet that a trick never answered but for a short time; and he had no doubt that, notwithstanding the self-denial of the hon. Baronet in keeping his speech in his pocket, the speakers at Willis's Rooms would not be able to grow eloquent on a reduced majority, a vacillating House of Commons, and a change in public opinion. It was difficult to speak in support of a measure against which no arguments had been urged; if the hon. Baronet would but let him have the notes of his speech he promised to answer every argument contained in them. The religious argument was wholly abandoned, and, indeed, he could not understand how it could have ever been brought forward after the passing of the Act of 1835. The social argument against it had also been abandoned. What Parliamentary precedent was there for such pertinacious opposition to the measure? [*A laugh.*] The hon. Baronet laughed; but there was no argument in a laugh, and not much courtesy in a laugh. For 20 years the House had passed this Bill; more than 40 divisions had been taken upon it, and five times it had gone up to the House of Lords. Surely this was a lesson to the House of Commons not to do in haste that which they might afterwards desire to undo. The Act of 1835 was a fraud upon the House, and it was only passed on the understanding that the mischief would be remedied early in the ensuing Session. That had never been done, and it was a lesson to the House never again to assent to a Bill to be remedied in the following Session, if, as experience showed them, it required 36 years to achieve that object. Every conceivable form of opposition had been adopted in that House to defeat the Bill, but hitherto without success, and he hoped the one adopted on that occasion would fail also. As regarded the argument that the law should not be made to differ in different parts of the Empire, he might remark that in some Colonies such marriages were allowed, in others void, and in others again voidable, while in several where they were not legal they would have been made so but for the Home Government, which interposed in order to prevent confusion in such matters. Five times over the Legislature of South Australia had sought Imperial sanction for the change in the law now proposed. In Western Australia and Canada the feeling was the same. The question affected the whole Empire, and he (Mr. T. Chambers) desired the establishment of uniformity in the law, which could only be secured by making the change which he proposed. In favour of that change there was, even in the House of Lords, an absolute majority of the hereditary Peers, and the whole kingdom was now waiting for the pleasure of four Bishops, who must stand entirely on the social objection, in which they were opposed by parochial clergymen of the greatest experience. From the time of Bishop Jewell down to the present day this question had been fought and argued out, and everything showed that the House of Commons was in the right. Moreover, he had a deep conviction that public feeling in Scotland was growing in favour of the Bill. On these grounds he contended that the Bill ought without delay to pass into law.

Mr. HINDE PALMER, in supporting the Motion, said, that was a subject on which there existed, no doubt, throughout the country a great diversity of opinion. His own conviction was that an overwhelming majority of the thinking portion of the community were in favour of that Bill, although that was no reason why those who were conscientiously opposed to it should be reproached for seeking on all legitimate occasions, if they chose, to have their views confirmed by the House. Uniformity was most desirable in the marriage law, and he trusted that before long the Government, acting on the Report of the Royal Commission on the subject, would bring in some measure for placing all the marriage law of this country upon one clear, definite, and certain basis. In any such measure he thought it would be well to incorporate the present Bill. He saw the prospect of "the religious difficulty" cropping up before them on various occasions; but it was satisfactory at least to feel that that difficulty had been got rid of in connection with that discussion. With regard to the moral and social aspects of the question—and these were the only grounds upon which the Bill was now opposed—he had the strongest conviction that the moral and social considerations were on the side of his hon. and learned Friend. It was a great mistake to suppose that the restriction now sought to be removed affected the better-off classes of society merely; it had a most pernicious operation on the working classes, and it was mainly on their account that he supported its removal. Our richer countrymen desirous of marrying their deceased wives' sisters could easily go to parts of Germany, where such marriages were perfectly legal, and satisfy their own consciences by having them duly solemnized; but poor men could not afford to go abroad for such a purpose, and, therefore, if they wished to contract a marriage of that kind, they were obliged to go on living in a state which our law stamped as concubinage. In this sense, therefore, the existing law operated unfairly as between class and class. It was urged that if they passed that Bill they would alter the whole social habits of families, and no wife's unmarried sister could live in free and familiar intercourse under the same roof with the husband and wife. That supposed effect of the measure was, he thought, enormously exaggerated; and the same objection might logically be pushed almost to the length of saying that they could have no unmarried young lady whatever living on familiar terms in the same house with a husband and wife. The objection was one of a conventional and overstrained character, and founded on the feelings of classes of society that were much more sensitive on such points than the working population generally. He maintained that the social and moral evils arising from the present state of the law far outweighed any likely to be created by the proposed change; and on every ground of policy, justice, domestic happiness and virtue he hoped the House would re-affirm the principle of that Bill. He fully admitted the right of the opponents of the measure to challenge the decision of the House upon it; but it was neither fair nor decent on so important a matter that a division should be taken in any way by surprise.

MR. DENMAN said, that he did not suppose there had been any intention to take the House by surprise. According to the view entertained by certain hon. Gentlemen who had strong conscientious objections, they felt it to be their duty to take the sense of the House, in order to put upon record their dissent from the principle of the Bill; but undoubtedly had the hon. Member's Motion been put to the Chair at once, the result at so early a period of the day, when the House was thin, might have encouraged those who objected to the Bill, in "another place," to misunderstand the true feeling of the House in reference to the question. While admitting that the opponents of the measure had a perfect right to take a division at this stage without further discussion, he, and hon. Members in favour of the Bill, were, by the very silence of its opponents, entitled to say that the subject had now been thoroughly exhausted; and if proof were demanded of this fact, he had only to remind the House that, until the arrival of the right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy), who at that moment had become visible to his eyes, the front Opposition Bench was vacant. He would only add that if, as he supposed to be the case, it now appeared to be the feeling of hon. Members opposing the measure that this question must soon be finally settled by legalizing these marriages, it would be cruel to keep the question open longer, and to bastardize many children year after year.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 125; Noes 84: Majority 41.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday.*

CUSTOMS AND INLAND REVENUE ACT (1870) EXTENSION BILL.

On Motion of Mr. HERON, Bill to extend to Ireland Clause Six in "The Customs and Inland Revenue Act, 1870," and to enable farmers in Ireland to germinate grain to be consumed by animals, *ordered* to be brought in by Mr. HERON and Mr. PIM.

Bill *presented*, and read the first time. [Bill 33.]

REGISTRATION OF DEEDS, WILLS, &C. (MIDDLESEX) BILL.

On Motion of Mr. GEORGE GREGORY, Bill for discontinuing the Registration of Deeds, Wills, and other matters affecting Land in the county of Middlesex, *ordered* to be brought in by Mr. GEORGE GREGORY, Mr. CUBITT, Mr. HINDE PALMER, and Mr. GOLDNEY.

Bill *presented*, and read the first time. [Bill 36.]

PRIVATE CHAPELS BILL.

On Motion of Mr. SALT, Bill to amend and define the Law relating to Private Chapels, and to Chapels belonging to Colleges, Schools, Hospitals, Asylums, and other public institutions, *ordered* to be brought in by Mr. SALT, Mr. DIMSDALE, and Mr. MORRISON.

Bill *presented*, and read the first time. [Bill 37.]

PUBLIC PROSECUTORS BILL.

On Motion of Mr. RUSSELL GURNEY, Bill for the appointment of a Public Prosecutor, *ordered* to be brought in by Mr. RUSSELL GURNEY, Mr. EYKYN, Mr. VERNON HARCOURT, and Mr. RATHBONE.

Bill *presented*, and read the first time. [Bill 35.]

JURIES ACT (1870) AMENDMENT BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to repeal Section Twenty-two of "The Juries Act, 1870," *ordered* to be brought in by Mr. ATTORNEY GENERAL and Mr. SOLICITOR GENERAL.

Bill *presented*, and read the first time. [Bill 34.]

House adjourned at half after Two o'clock.

HOUSE OF LORDS,

Thursday, 16*th February*, 1871.

BOARD OF ADMIRALTY.

MOTION FOR A SELECT COMMITTEE.

VISCOUNT HALIFAX: Before my noble Friend (the Duke of Somerset) rises to propose a Committee of Inquiry into the Board of Admiralty I must make an appeal to him as to the course he is about to pursue, and I trust your Lordships will agree that I have very good grounds for doing so. The noble Duke intends to propose "an inquiry into the present state of the Board with reference to recent changes in its constitution, and the practical working of the Department." Now, with all respect to the noble Duke, I submit that the present is not a fitting time for such a Motion. I am far indeed from saying that, under ordinary circumstances, such a subject would not very properly engage your Lordships' attention; but at the present moment, in the absence of the First Lord of the Admiralty, neither I nor my noble Friend near me (the Earl of Camperdown), who is more conversant with the matter, feel that we possess sufficient knowledge of the opinions and views of the head of the Department to be able properly to discuss the question. It seems to me, too, that it is not an unreasonable request for us to make, that we should not be asked to consent to the appointment of a Committee to inquire into the Department of our absent Colleague, seeing that owing to illness he cannot be communicated with. If Mr. Childers had the opportunity of communicating his views to us, he might have furnished us with unanswerable reasons against the proposed inquiry, and during his absence from illness it would hardly be reasonable to ask us to agree to the Committee. Your Lordships may have seen, from correspondence which appeared in *The Times* this morning, that personal differences exist in the Admiralty as to questions of fact. There, again, though we have some information on the subject, the First Lord alone possesses the full and complete knowledge which would enable us, after communicating with him, to state his views or discuss the matter. I hope, therefore, the noble Duke will postpone his Motion. I do not think he will make any very great sacrifice in doing so. We have every reason to hope and expect that Mr. Childers will be at home in the course of next week—so that I do not ask for any long postponement. I may as well take the opportunity of stating exactly how the case stands with regard to Mr. Childers, because it is undeniable —and my Colleagues undoubtedly feel as much as any noble Lords opposite—that it is most unsatisfactory for the head of one of the great Departments of the State to be absent at the opening of the Session. I hope, however, that when I have stated the circumstances your Lordships will not think this position of affairs so unreasonable as might at first sight appear. Mr. Childers had a very severe illness in the course of last spring, but was able to resume his place in the House before the close of the Session. I believe that during the summer he had entirely recovered. But in the course of the autumn the catastrophe which shocked everybody in the country occurred. Painful as the sudden loss of the *Captain* was to all of us, it was still more painful to Mr. Childers as the head of the Department which sent the ship to sea, and still more from the personal loss he sustained by the death of his son, who had joined the ship a very short time before. This calamity bore very heavily on him. In the autumn he went through a great deal of work, the pressure of which, added to the depression of mind and body he was labouring under, had such an effect upon him that early in January, thinking he would be unable to be in his place at the opening of Parliament, he sent in his resignation to Mr. Gladstone. But Mr. Gladstone was unwilling to lose the services of one whom he regarded as a most valuable public servant, and after some communication with his medical advisers it was arranged that Mr. Childers should go away and be entirely relieved from business for about a month;

at the expiration of which time it was hoped that he would be able to resume his duties, and, at all events, able to decide with more satisfaction to himself and his Colleagues whether it was possible for him to go on or not. That is exactly the state of the case. I do not believe the public service has suffered in the slightest degree from the temporary absence of Mr. Childers—an absence not altogether unprecedented on the part of the head of a Department, for there was one of longer duration a very few years ago. Before Mr. Childers left he prepared the Estimates, and gave directions for their completion. They were submitted to the Cabinet and approved early in December, and my noble Friend (the Earl of Camperdown) and his Colleagues had no difficulty in working them out, and making such alterations as the latest information rendered necessary. The Estimates, I may add, will be laid on the Table of the House of Commons earlier in the Session than was ever the case in the noble Duke's time or in mine. If when Mr. Childers comes home he thinks it impossible to resume his official duties, I am convinced that no man in the country would be more unwilling to trench on the indulgence of Parliament and the public than he would. He would in that case insist on his resignation being accepted. I hope your Lordships will agree with me, after this explanation, that the delay I ask for is not unreasonable. Whatever political differences may exist as to the value of Mr. Childers's labours, everyone will admit that he has been a hard-working public servant, and it is no extraordinary act of grace to give him a month's absence and rest, in the hope that it may lead to the recovery of his health. The noble Duke, I trust, will not refuse me the short respite, so to speak, that I ask for, until either Mr. Childers is personally in his place again, or we have at least been able to obtain from him that full and accurate information, without which discussion on this subject can hardly be satisfactory either to your Lordships or to the country.

THE DUKE OF SOMERSET: My Lords, I entirely sympathize with the noble Viscount in his regret at the illness of Mr. Childers; but when my noble Friend goes on to say we are to put off the discussion of this subject until either he or the noble Earl near him (the Earl of Camperdown) can understand it—that is, until Mr. Childers comes home—I cannot agree with him. Why am I to wait till Mr. Childers comes home? When the First Lord of the Admiralty is in his place again, my noble Friend may say that the House of Commons is the proper place for the discussion; so that the appeal of the noble Viscount really means that this House is not to discuss the state of the Admiralty at all. I therefore feel it my duty to disregard his appeal, and to proceed with my Motion. If it is urged that personal questions should be avoided—which is one of the reasons my noble Friend has offered for the delay—I ask, Who first raised these questions? Who first attacked a Colleague, and sent the attack to the newspapers without that Colleague having the opportunity of seeing it? I ask any public man—I appeal to noble Lords on both sides who have been at the heads of Departments—whether the confidence that is so necessary to the proper working of the public Departments can be maintained if the head of a Department is to go behind a Colleague's back, write a report condemning him, and send it to the newspapers without so much as letting him see it? I am urged not to proceed with my Motion on the ground that it would be so hard on Mr. Childers; but other people have feelings as well as he. I have old Friends and Colleagues at the Admiralty, and if they are attacked unfairly, let nobody suppose that I shall not stand by them. I will now say, first of all, what I consider of the first importance. For six months the defences of the country have been the general theme of discussion. Now, the first line of these defences is the Navy, and I think I can show you that the administration of the Navy is at present in a very unsatisfactory condition. On the first night of the Session the noble Earl (Earl Granville) stated, in answer to a noble Lord opposite, that the Admiralty would go on under the Board as usual. Now, my noble Friend has been engaged all over the world; his mind has been expatiating from China to Washington; and, finding troubles cropping up in every direction, he cannot be expected to know what is going on at the Admiralty. The fact is, the whole system is so altered that the Board does not exist. I will show you how this has come about. An arrangement was made in 1869 by an Order in Council dividing the Board into departments. Now, I do not object to departmental divisions—I agree with having departments—I think it is a good arrangement. There always have been such divisions of business at the Admiralty. I said, when I was in the House of Commons—

> "I do not care whether you call it a Board or not, but a civilian must have naval men round him. If he tries to go without their advice, he will get into continual difficulties, the public interest will suffer, and the profession of the Navy will be discontented with its management."

Whether it is called a Board or heads of departments, so long as they meet to discuss together with the First Lord all important questions, I do not care. It is no matter by what name you call them, or whether they discuss in a Board-room or in the room of the First Lord; but it is essential that the heads of such departments as those for the building of ships and the fitting-out of vessels should meet with the First Lord, and discuss with him naval questions, for otherwise, as great misfortunes have already arisen, so they will again arise from keeping the heads of departments entirely separate. If the First Lord chooses to treat all the naval men around him as mere clerks, if he gives them their directions and sends them away, this must create not only great discontent but also great inefficiency. I should like to know what is the Navy for? It is for use in time of war, I suppose. Now, suppose a war should break out, and the First Lord should say—"I am responsible for everything," I think the country would look with no little surprise upon any gentleman who, with no knowledge of naval affairs, should undertake to direct great naval operations. It would not do, unless he had a Naval Council and listened to their requests. Yet that is the course which Mr. Childers seems to have taken—he has declared in the House of Commons over and over again that he was responsible for everything, everybody else being responsible to him; he insisted that the responsibility to Parliament and the country rested entirely on himself. When, however, that catastrophe—the loss of the *Captain*—happened, he wrote, as soon as he had recovered from the dreadful shock of that terrible calamity, an elaborate Report to show that he was not responsible at all. He laid the responsibility on the Controller of the Navy. Now, the Controller of the Navy had always objected to the building of the *Captain*. As long ago as when I was at the Admiralty, both he and the Constructor of the Navy strongly objected to vessels of that kind for sea-going purposes. The Controller said they might do for coasting purposes; but "do not," he said, "go and put masts and sails in them with a low freeboard, or you will have some catastrophe." So much impressed was I with this that in 1869, before the other vessels were going to be built, I called attention in this House to the matter, and reminded you that the *Monitor* went down head foremost. I was told, in reply, that these vessels sat the water like a duck; but I remarked that they might also go down to the bottom like a diver: and I urged that before any more of such vessels were built we should have a little experience from trials of the *Captain* at sea. I was told, in reply, we do not want any lesson from the *Captain;* we know all about it, and the *Captain* can teach us nothing. Can the *Captain* teach them nothing now? The vessel went down, and people all asked how it came about, and whether there was any Report from the Controller? It turns out there had been a Report by the Controller condemnatory of the *Captain* as early as May, 1870. The First Lord laid on the Table of the House of Commons a laudatory Report from Sir Thomas Symonds in July, 1870; but he did not produce the condemnatory Report. Stranger still, he seems to have been of opinion, with many persons in the House of Commons, that this was the best style of vessel that could be built. Although the Controller pointed out when it was built that it was two feet deeper than it ought to have been—a very serious fault—yet, nevertheless, when Mr. Reed left, it is said that Mr. Childers offered the situation of Chief Constructor to the builder of the *Captain*. What sort of management was this? I say this was the management of a civilian, and that if he had had consultations with naval men this would not have happened. They do not seem to have been allowed to give their opinion. They come into the room, I suppose, and are sent out again. I undertake to say that there has hardly been a meeting of the Board for weeks and weeks. My noble Friend (the Earl of Camperdown) said the other night that the Naval Estimates had been settled by Mr. Childers. I deny that they were settled by Mr. Childers. As far as I can ascertain he settled the first two Votes, but not some of the most important ones, and the Memorandum he left was altogether set aside when he was gone. The fact is nobody is responsible for these Estimates: and this is what the House of Commons calls perfect responsibility, having one man entirely responsible. A vessel goes down and nobody is responsible. The Estimates are brought forward and nobody is responsible. Is this, I ask, the way things are to go on, and are we to wait till Mr. Childers comes home and can explain it all in the House of Commons? Why has the Controller left the Admiralty? The correspondence on the subject published in *The Times* this morning is the most extraordinary and curious I ever saw. I wondered when I read it where in the world Mr. Kinnaird was. He should have been at hand to explain what Mr. Gladstone should have written. The real position of affairs at the Admiralty at the present moment is that there is now nobody there who has the whole grasp of the Department in his hands. The absence of the First Lord is like the removal of the spring from the works of a watch; the other members know their several departments, but not the Admiralty as a whole. There is the Secretary, who is very good for his own work—the buying and selling stores. I have heard accusations against him; but I believe he has been doing the duties of his department remarkably well, and has brought about economy. Look at the Order in Council of 1870. It was most mischievous. It said that if a man remains at the Admiralty a certain time without active service he is to retire. And what is the effect of that? Lord John Hay is at this moment obliged to run away in the course of the next fortnight, or he would lose his position in the Navy under that Order. The effect of that same Order would have been to prevent the employment of Lord Lyons and Sir Alexander Milne. Why should such men be excluded? Why should the Government thus restrict its own power of selection? I could never see any good that could arise from it; but I can see that great mischief has arisen from it. Men will not enter the Admiralty for fear of being put on the shelf, or, if they enter it, they are always on the look-out for some occupation to avoid being shelved. Can anything be worse than this? An officer who looks after the details of management at one of the dockyards can keep his flag flying and have his time counted as active service; but if he comes to the Admiralty, where he has to look to the interest of the Navy from Japan to the River Plate, to consider the available force at each station all round the world, and decide where the naval stores and supplies of coal are to be kept—a serious question in time of war—he is told—"You are not in active employment and must therefore be put on the shelf." No statesman would have made such a monstrous system. Another most injurious Order is that limiting the number of lieutenants to 600. I showed last year that during five or six years of peace more than 600 had been fully employed, and that in war they were the strength of the Navy. I have since had many letters from naval men of all ranks, telling me I was quite right, that the lieutenants are the backbone of the Navy, and that cutting down their numbers in this manner would be detrimental to the honour and safety of the country. Is this, again, no subject for inquiry? The present state of the Admiralty, without a First Lord, without a Controller, without a Chief Constructor, without a Storekeeper, without a Controller of Victualling, without a Chief Engineer, is clearly a ground for inquiry. I wish to restrict it to a few points. As to administration by the heads of departments, I do not think the country and Parliament understand how the present system works. When I was at the Admiralty the Board met for an hour and a half every day. All the Lords heard the transactions, and anyone of them could state objections to anything that was done. When more difficult questions arose, I asked them to come into my room at a later hour, where these questions could be more fully discussed; but all the routine work was transacted in the Board-room, as I say, where everybody was together, and then the Secretary heard and knew all about everything, whereas now he can only answer for his own department. This state of things could not work if the services of the Navy were required for active operations. In the event of war, the first thing that would be done would be to alter the system, for the country would not be satisfied with a civilian First Lord solely responsible for the operations of the Navy. They would say —"Give us a Naval Lord who knows something about the matter." While I was at the Admiralty the difficulty about the *Trent* happened. One of the Lords asked me what would be done if there were war. I replied—"I can tell you one thing I shall do. You will have to sleep on the Admiralty Board table, for I will not let you go away from the office. I will not be responsible without having three or four of my Colleagues at hand, and if you have to sleep in the Board-room you must make up your mind to it." Any civilian ought to feel the same, for there would occur innumerable questions to be decided, and orders to be given which he could not undertake without professional advice. If Mr. Childers does not come back to the Admiralty—I hope it will not be so—the Prime Minister will have to look round the Benches behind him to catch a new First Lord—for he must be a Member of the House of Commons, though the noble Viscount (Viscount Halifax) has been sitting in the Admiralty nest, just keeping the eggs warm till Mr. Childers comes back. But if he should not come back the Prime Minister will have to find on the Benches behind him somebody who can speak fluently, and somebody secure of re-election—and this is not always an easy matter; what with the Permissive Bill, and what with the Contagious Diseases Act, and one thing and another, I am afraid he would be in great difficulties. These are some of the difficulties in selecting a First Lord: but when he has been obtained, what is he to do? He will not have the advantage of a Board. Where there is a Board discussing the various matters of Admiralty business, a man with a little common sense can pick up the merits of the case and form a decision, if he hears competent people state their opinions; but if he goes into a room by himself and is asked to settle difficult questions off-hand, or if anyone were to put a question to him in the House, he will be in a disadvantageous position, not having heard the matter previously discussed. As I have said, I think departmental divisions good; but I want to add to departmental division some means of joining frequent meetings, in which naval opinions can be properly considered. I think I have shown good grounds for an inquiry; and when Mr. Childers comes back he will be a most useful witness on many points.

Moved, "That a Select Committee be appointed to inquire into the present state of the Board of Admiralty with reference to the recent changes in the constitution of the Board and the practical working of the Department."—(*The Duke of Somerset.*)

VISCOUNT MELVILLE said, he was very glad that the noble Duke had brought forward this Motion, for never was there a Department in greater confusion than the Admiralty was at that moment—it was worse even than prevailed at the War Office. He understood that the Board of Admiralty did not exist, as it used or ought to do, by virtue of the patent which authorized its members to exercise the duties of Lord High Admiral. The name of the Secretary did not appear in the patent, as he was nominally appointed by the Board, though really by the Government, and he was, in truth, the servant of the Board and not its master. Now, however, he was informed that the Secretary was placed over the various Lords of the Admiralty, and they took orders from him instead of giving them to him. He (Viscount Melville) could not understand how the Naval Lords could submit to such an indignity being placed upon them. In the absence of Mr. Childers the First Sea Lord should be the person to carry on the duties of the First Lord of the Admiralty. Whether this were so he did not know. What the noble Duke had now stated he had previously heard was perfectly true—that the Lords of the Admiralty now never sat as a Board, and never consulted together upon naval matters or the supply of stores, or other things which a Board should discuss. Each acted in his own department, and one Lord did not know what the other did. Instead of this they should act with unanimity. With regard to the Order in Council, he was at a loss to see how such an Order could supersede the patent issued by the Queen, commanding certain gentlemen to execute the office of Lord High Admiral. He was perfectly certain, from all he heard out-of-doors, and from the dissatisfaction that existed in the Navy, that the noble Duke had done the greatest service in moving for this Committee, and he should heartily support the Motion.

THE EARL OF CAMPERDOWN: The House will not be surprised if I have some difficulty in determining at which point I am to begin, where so many have been dealt with; for the noble Duke has touched upon everything connected with the Navy, as well as the administration of the Admiralty, down to the latest Order in Council, and the unfortunate loss of the *Captain*. I think your Lordships will excuse me if I do not again open the debate upon the Order in Council, when it is recollected that it was so fully discussed in this House last year. I shall, therefore, pass it over with the simple remark that the noble Duke was not correct in saying that officers cannot now serve at the Admiralty if they wish to avoid being placed upon the retired list, for no officer of flag rank can be placed upon the retired list until he has been for 10 years not upon full pay. The noble Duke may be right in his opinion; but still it has been maintained that a flag officer to be of service at a crisis, and to be fit to take the command of a fleet at sea, ought to have been in command within the previous 10 years. There have, it is true, been a few notable exceptions; but I would ask your Lordships whether you think it would be well, as a general rule, to count an officer who had spent 15 or 20 years in the civil departments of the Admiralty as available for service at sea? I will pass briefly over what has been said with regard to the *Captain*, because I have already laid upon the Table the Minute of the First Lord, and I have given Notice that I shall move to-morrow for the reply of Sir Spencer Robinson; and when your Lordships are in possession of the facts, it is possible that your Lordships may have a debate upon the subject. With reference to Sir Spencer Robinson, I am sure your Lordships will excuse me from undertaking the unpleasant and almost impossible task of discussing matters which turn on questions of fact as to what passed between the First Lord and the Controller, and of which they alone are cognizant. Adverting, then, to the real subject of the debate—the constitution of the present Board of Admiralty—I may remind your Lordships that the Board was constituted under the Order in Council of 1869, and that the main principles on which it was founded were three in number. They were—first, that the First Lord should be supreme, and have entire control over the Board; second, that each of the other Lords should be individually responsible to him for their respective departments; and third, that there should be complete control over all expenditure of money by officers responsible to Parliament. I am glad to hear from the noble Duke that he is in favour of the departmental system, for that is one great point gained in favour of the present system. At present, all transactions involving expenditure of money must be approved by at least two members of the Board. I suppose the noble Duke, when speaking of the old Board, did not intend to imply that every single transaction in his time was considered by the full Board before being finally settled. I can assure the noble Lord opposite (Viscount Melville) that it is an entire mistake to suppose that the Board of Admiralty never meet. Until the illness of the First Lord it met twice in each week; and there is nothing to prevent any member of the Board from bringing any matter he wishes to have discussed before the Board. I can also assure the noble Duke that it is an error to think that the First Lord treats his naval Colleagues simply as clerks. He considers them as his equals, with whom he is only too delighted and anxious to consult. I will venture to say that on no occasion has any one of his Colleagues who has gone to see the First Lord, or expressed a desire to discuss any question with him, ever met with anything but the most courteous attention; and that no proposal has been rejected without careful consideration. The noble Duke says that the place of the Naval Lords during a crisis was at the Admiralty, and that in the case of the *Trent* affair he expected them to find their beds in the Board-room. I am happy to say that during the present Board's tenure of office no such crisis has arisen; but, in the event of such a contingency, I hope Sir Sydney Dacres, and the other Naval Lord, will find the table of the sitting-room of the First Lord a not more inconvenient resting place than the Board-room table in the noble Duke's days. The noble Viscount

(Viscount Melville) has just said that no one at the Admiralty knows what his Colleagues are doing. Such a thing may be possible; but, if so, it is the fault of the person who is in ignorance, because they all receive a daily Minute of all transactions of any importance in every department. The noble Duke also stated that nobody is responsible for the Estimates, and he said that he was in a position to prove that the First Lord had nothing, or very little to do with them.

THE DUKE OF SOMERSET: Only the first two Votes.

THE EARL OF CAMPERDOWN: How did the noble Duke obtain that information?

THE DUKE OF SOMERSET: Grant the Committee, and I will tell you.

THE EARL OF CAMPERDOWN: I think the noble Duke need not ask for a Committee, for he already knows everything he proposes the Committee shall find out. He knows more about these matters than I do myself. I may say, however, that the number of men in the Navy and dockyards were settled, and the whole skeleton of the Estimates made out by the First Lord himself, and the figures were discussed and settled in the Cabinet; therefore, it is hardly fair to say that he had nothing to do with the Estimates. The noble Duke referred to the position of the Secretary to the Admiralty. I have heard all sorts of complaints about him. It has been said over and over again that he is not able to purchase stores, and that he has no stores; the Leader of the Opposition in "another place" has said that there is an extreme lack of stores and provisions, and that we are living on what was left by the Conservative Government. So far is this from being the case, that when it was considered advisable that assistance should be sent to Paris to relieve its distress, my hon. Friend the Secretary was able to send no less a quantity of provisions than 2,500 tons at one day's notice, and I think your Lordships are bound to admit that that is one point in his favour. I have heard it said to-night that the Secretary is at present practically the First Lord. The simple fact is, that no expenditure of large amount can be made without his sanction. The arrangement is a simple and intelligible one. The principle was laid down in the Order of 1869 that no money should be spent without the authority of those who are responsible to Parliament: it therefore follows that, during the First Lord's absence, that officer who is responsible to Parliament should, for the time, take upon himself the responsibility of financial control. I believe I have now answered all the questions addressed to me; but, if I have omitted anything, I shall be glad to be reminded of it. Without presuming to dictate to the noble Duke, I cannot help saying that I think he has shown no special reason for granting a Committee of Inquiry into the position of the Admiralty at the present time. There is this one great objection to an inquiry, that it would greatly interfere with the working of the Department the operations of which the noble Duke is so anxious to facilitate. If he has any grievance to allege against the Admiralty, I would ask him to give us, in some specific terms, the Instructions which he proposes to give to this Committee.

EARL GREY: My Lords, I did not distinctly understand from the noble Earl (the Earl of Camperdown) whether it is the intention of Her Majesty's Government to resist the Motion. If it is not intended to refuse this Committee, I will not say another word about it; but if the Government do intend to resist the Motion, then I shall offer a very few words, confining myself to the simple question—Ought we to grant this Committee or ought we not? It is admitted by Her Majesty's Government that there has been a very important change in the working of the Board of Admiralty. Until two years ago a system was maintained which, practically as well as theoretically, was, in my opinion, a wise one. It maintained the complete control of the Executive Government over this great Department of the State, by placing at its head a person who generally and properly was a civilian; but, in order that he might not be left without proper professional advice and assistance, the First Lord of the Admiralty was required to carry on the business of the Department with the assistance of other Lords, some of whom were necessarily naval officers, practically acquainted with naval matters. This arrangement in no way detracted from the complete authority of the First Lord, for if differences of opinion unfortunately arose between him and one of his Colleagues no division of the Board took place on the subject, but the authority of the First Lord was invariably acknowledged, and any Naval Lord who, upon a grave question, was unable to concur with him in opinion felt it his duty to resign. Several well-known cases of this kind have occurred. The proper and legitimate authority and responsibility of the First Lord as the head of the Department and a Minister of the Crown were thus kept unimpaired, but at the same time the Sea Lords of the Admiralty had a responsibility to the profession and the country, and if any measures which they thought unfair to the profession or injurious to the country were proposed, though they could not control the action of the First Lord, yet by their resignation they had it in their power very plainly to convey to the profession and the country their sense of these proposals. If, on the other hand, those Naval Lords continued to hold their offices, they were in the same position as an Under Secretary would be who waived his own opinion and accepted his share of responsibility for the course taken by the Government. This was the theory of the Board of Admiralty as formerly constituted; and effect was given to the system by periodical and frequent meetings of the Board, at which all important matters were brought forward and discussed, being first prepared for consideration in the several departments. The noble Earl who has just spoken took great credit to the present First Lord for the departmental system; but this is by no means a new thing at the Admiralty. In consequence of the Notice given by my noble Friend (the Duke of Somerset) I referred to the speech of Sir James Graham, in which he described the alterations that were made in 1832, when the minor Boards—the Navy Board and Victualling Board—were abolished and the whole business was concentrated at the Admiralty, and I find that he then distinctly explained his proposal to be that each Lord of the Admiralty should, in his own department, be specially charged with the conduct of the business, and should have the assistance of a permanent officer who would not give up his place upon any changes of the Administration. To the success of this system periodical meetings of the Board were absolutely essential; for unless those meetings were held, and an opportunity were afforded of discussing the various questions as they arose, and thus bringing more than one opinion to bear for the information of the First Lord, there was a very great chance of mistakes being made. Such was the constitution of the Board of Admiralty, and for many years it worked well. Two years ago, however, when the Navy Estimates were brought forward, we learnt that Mr. Childers described very considerable alterations which were contemplated. I believe that in the form of the patent no change occurred — appointments and Orders were still issued nominally by the authority of the Board of Admiralty. But if I rightly recollect the speech made by Mr. Childers in moving the Estimates in 1869, he distinctly said that the consultations of the Board were practically to be discontinued, and that in future the responsibility would fall upon him exclusively, after he had communicated with each individual member of the Board as to his own special department. That is my understanding of the speech as we find it recorded, and it is in accordance with the common report of what actually occurred in the Department. Now that, I say, was a most important change; and after the new system has been some two years in operation, is it not right that we should proceed to make inquiry how it works? Is it not especially incumbent upon us to do so when circumstances have arisen leading, if not forcing, the public to believe that the results of this absence of consultation have been most serious? Take one case. The catastrophe of which we all heard with such surprise and such grief and horror, would that have occurred if the old system of conducting business at the Admiralty had been adhered to? If the Naval Lords had discussed, in the presence of the First Lord, the propriety of sending such a ship as the *Captain* to sea with masts and sails at a stormy season of the year, would that ship have been allowed to incur the risk to which she was exposed? My Lords, I must confess my belief that she would not. At all events, if there had been such a discussion, and if the question whether at such a time she ought to have been employed on such a service had been fairly considered, there would have been no question then as to who was responsible. The whole subject would have been before the Board, a Minute would have been made, and every member who acquiesced in that Minute would have shared the responsibility. This one single circumstance — for I will not trouble your Lordships by going into others which occur to me — establishes to my mind a *primâ facie* case, showing that the important change made in the working of the Board of Admiralty two years ago was an injudicious change, and one which is not working satisfactorily. I do not say more; it is possible that upon inquiry it may be shown that no one was to blame with respect to the catastrophe I have referred to, and that the new mode of transacting business may be better than the old one. But I do assert that a *primâ facie* case exists for believing that the change at the Admiralty was a change for the worse, and that inquiry by Parliament is imperatively demanded. At this moment, in the agitated state of the world, I do not think it would be becoming of your Lordships to go into minute details—to inquire into a mistake here or a mistake there; the less interference in that way with a Department the better—but there is, I think, strong ground for inquiring whether the general system of management introduced two years ago at the Admiralty in substitution for the system which formerly prevailed is or is not a wise one. That is my reason for supporting the Motion; and I do trust Her Majesty's Government will not put us to the pain of going to a division. Can they, I ask, in the face of the country and with the strong grounds which exist for investigation, refuse an inquiry which will let us ascertain for ourselves the working of the system? I earnestly trust they will grant the Committee; and I equally trust that the noble Duke, in conducting the inquiry, will abstain from the discussion of details which have nothing to do with the functions of Parliament and can only be dealt with properly by an Executive Department, and will confine himself to the broad and leading question of the constitution of the Board, which, in my opinion, forms a most legitimate subject for inquiry.

The Earl of HARDWICKE: My Lords, I think this House cannot refuse to grant the Committee asked for by the noble Duke. A state of things has been reached in the world in which men's minds are turned to war, and when public feeling generally is growing anxious on the subject of our defences. I look upon the Admiralty as a mysterious office. The public know nothing of its deliberations, and can only judge by the results. It is the custom, I know, to boast of the strength of our Navy, and of the number and condition of our ships. To my mind, they are nothing but experimental ships, every one of them. It may prove, in the end, that they are neither fitted to act together as a squadron of defence, nor to keep the sea as individual cruisers. And then we are confronted with the difficulty of not knowing what to do with it, or how to keep the fleet in order. If our ships were brought into battle and were shattered — and the chances are that they would be very seriously injured—it would be found that no arrangements had been made in our dockyards and arsenals for repairing them. Every ship in the present Navy differs from all the rest in the dimensions of her masts, sails, and engines, and consequently a different fitting is required for every ship. Such a system, it is obvious, is very expensive, and must lead to a great loss of time. In former days there was a complete understanding with regard to classes. We had then four classes of ships, four kinds of masts, four kinds of sails, and so on. The result was that in the event of a vessel being shattered, she could be soon repaired. If the Committee were appointed, it would be able to expose the defects in the present system; and the result would be that the Admiralty, instead of taking into their councils iron-ship builders, steam-engine makers, and men of that kind, would look to old and practised seamen, who had some idea as to what the equipment of a ship ought to be. For although we now employ steamships, it is most important that their sailing qualities should not be overlooked. The first point was that our ships of war should be made safe and seaworthy; the second is speed; and the third is to equip them with efficiency. I am afraid that the first point—safety—has of late years been overlooked, and that our ships are dangerous. The result of the late catastrophe will, I trust, be that the ships of our Navy will be made safe; and another consequence will be that experimental ships will be at an end. We have made sufficient experiments to show what we wanted; and if those experiments were united they will bring about the production of a good fleet. I maintain that we still require what we had in olden times. What we require are sea cruisers, an equipment suited to the narrow seas around this island, and a complete system of conveying troops with facility and despatch to all parts of the world. Above all, we require complete means of defending our whole Empire. All these points being of the utmost importance require careful consideration. In the Speech from the Throne, Parliament was not requested to examine into the state of the Navy; for I suppose Her Majesty was told by her responsible Advisers that the Navy was perfect. I assert, on the contrary, that the Navy—looking at the difficult circumstances in which the country is placed—was never in so useless a condition as at present. I thoroughly believe that the proposed inquiry will be of immense value, as it will bring to light, first of all, the secrets of the Admiralty, and, next, the secrets with regard to the construction of the Navy.

VISCOUNT HALIFAX said, the noble Earl on the cross Benches (Earl Grey) had very correctly described the constitution of the Board of Admiralty as it was modified by Sir James Graham, in 1832. He himself had had the honour of holding, at one time, the position of Secretary to the Admiralty, and afterwards that of First Lord, and he had never thought there was much room for improvement in the mode of working and management of the Department. Formerly, the Senior Sea Lord was charged with superintending the department which had the building of ships of war, and the second Lord with superintending that which had the responsibility of providing stores; and it struck him there was a great deal to be said in favour of uniting these two departments, which must work together, under one head. The noble Duke had said it was quite immaterial whether the members of the Board met in the Board-room or in the First Lord's room, provided that the First Lord did actually consult his naval advisers. There were three naval officers at the Admiralty, and there was no reason why the First Lord should not consult them. The Board meetings were held twice a week, and any member had only to bring forward any proposition for it to be taken into consideration, and the opportunity was afforded for the statement of individual opinion. He denied the correctness of the assertion that the loss of the *Captain* was due to the Board not having met more frequently. His noble Friend said that a warning would have been given if the Board had met. From whom would the warning have come? The most likely person to have given such a warning was Sir Spencer Robinson, who disapproved of the construction of the *Captain* in some respects, but entertained no fears for her safety. In a Paper prepared by Sir Spencer Robinson after her loss, dated some day in November, and printed in the Appendix to the Minute of Mr. Childers, this sentence occurred—

> "I am still of opinion that the ship was safe, if properly handled, so far as relates to her stability at her loadline, and the means existing to restore it as she became lighter."

There would be laid on the Table of their Lordships' House a Paper, which was the answer of Sir Spencer Robinson to the Minute of Mr. Childers, and in this Sir Spencer Robinson said—

> "Neither did I nor Mr. Reed consider that the *Captain* was unsafe to be tried at sea, if properly handled."

That might be said of any ship in the world; and any ship, if improperly handled, might be upset. When the designer and the builder of the *Captain*, when the Chief Constructor and Controller of the Navy, stated their opinion that there was no risk in sending the *Captain* to sea, and when it was obvious from all the Papers, whatever might have been the qualities of the ship in other respects, that no one considered she was unsafe, it was out of the question to maintain that there could have been any warning of her being unsafe. If a Committee was to be appointed, he hoped the scope of its inquiry would be restricted, as suggested by the words of the noble Duke's Motion, that it would be confined to the constitution of the Board of Admiralty and the practical working of the Department, and that it would not extend to the Order in Council of last summer and other matters, as the noble Duke seemed to suggest that it should. The noble Duke fell into one or two curious mistakes; and one was as to the effect of the Order of 1870, which applied to admirals a rule, as to service in the Admiralty, that had been applied to captains from time immemorial. The noble Duke said that the Order in Council of 1870 would have deprived the country of the services of Lord Lyons. Now, it so happened that the Order in Council which would have had that effect, was an Order in Council passed by the noble Duke himself in 1866, fixing for the first time the age at which admirals must be removed from the active list. Unless his memory failed him Lord Lyons, at the time when he was performing such distinguished service in the Black Sea, was above the limit of age named in the Order of 1866. It was the Order in Council of the noble Duke himself, and not that of Mr. Childers, which would have deprived the country of the services of Lord Lyons. Although the Committee would be inconvenient, he offered no opposition to its appointment, if it were clearly understood that its inquiry was to be limited by the words of the Motion.

Motion *agreed to.*

And, on Thursday, February 23, the Lords following were named of the Committee:—

Ld. Privy Seal
D. Somerset
E. Derby
E. Malmesbury
E. Grey
E. Beauchamp
E. Camperdown
L. Eliot
L. Auckland
L. Belper
L. Lyveden
L. Houghton

House adjourned at a quarter before Seven o'clock, 'till to-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, 16th February, 1871.

MINUTES.]—New Members Sworn—George Leeman, esquire, *for* York City; Sir Henry Knight Storks, *for* Ripon City.

Supply—*considered in Committee*—Army Estimates; Princess Louise's Marriage Portion.

Select Committee—Vaccination Act (1867), *nominated;* Public Petitions, *appointed* and *nominated.*

Public Bills—*Ordered—First Reading*—Army Organization* [39]; Adulteration of Food, &c.* [41]; Metropolis Water* [40]; Tribunals of Commerce* [42]; Local Legislation (Ireland)* [43].

Second Reading—Princess Louise's Annuity* [24]; University Tests [6]; Juries Act (1870) Amendment [34]; Provisional Order Bills (Committees)* [12].

EDUCATION—ENDOWED SCHOOLS.

QUESTION.

Sir MICHAEL HICKS-BEACH asked the Vice President of the Committee of Council on Education, Whether he is aware that the Endowed Schools Commissioners have, in a Communication addressed by them to one of the Trustees of the Endowed School at Mitcheldean, in the county of Gloucester, made the following statement:—

> "The general principle on which Educational Endowments are dealt with by the Commissioners is that they should not be devoted to purely Elementary Education, which is now fully provided for by law;"

and whether, acting in pursuance of that statement, it is the intention of the Commissioners generally to devote to education of a higher grade funds which have been distinctly left for the purpose of primary or elementary education?

Mr. W. E. FORSTER, in reply, said, that the hon. Baronet would see from the Endowed Schools Act of 1869 that no power was given to the Commissioners to devote any sum to any particular purpose, and that the duty of the Commissioners was to prepare schemes to be submitted to the Education Department, and, if approved, to be submitted to the House before taking legal effect. Under these circumstances, it would hardly become the House to interfere with the mode in which the Commissioners prepared the schemes, the Government being responsible for the shape which those recommendations eventually assumed. He could not, therefore, give a distinct answer to the Question; but he had been requested by the Commissioners to state that they were extremely anxious that everyone concerned in this movement should be fully apprised of them, and it was only fair to point out that the quotation made by the hon. Baronet presented a different appearance when read with its context.

POST OFFICE—POSTAL COMMUNICATION BETWEEN THE HEBRIDES AND THE MAINLAND OF SCOTLAND.

QUESTION.

Mr. CAMERON asked the Postmaster General, Whether his attention has been called to the want of sufficient postal accommodation between the Hebrides and the mainland of Scotland; whether he does not think it expedient to regulate the postal service so that the mails may be conveyed to and from Loch Maddy three times a week, wind and weather permitting, in winter as in summer, and so to alter the present arrangements as to insure letters being delivered in Glasgow or Edinburgh in less than eleven days from the date of their being posted in Loch Maddy; and, whether it is intended that the district of the West Highlands shall participate in the advantages of the Telegraph Act 1868, and the Acts amending and extending the same; and, if so, when telegraphic communication may be expected to be established with the head post offices of Fort Augustus and Fort William?

MR. MONSELL, in reply, said, the hon. Member was inaccurate in stating that 11 days were occupied in transmitting letters from Glasgow or Edinburgh to Loch Maddy. Letters leaving the latter place on Wednesday morning reached Edinburgh or Glasgow on Saturday; but letters from Loch Maddy, despatched on Friday, did not reach their destination until Tuesday, the mails being delayed on their way during Sunday. The postal revenue from this service was less than half the cost. He admitted the present arrangements were not entirely satisfactory. A full inquiry would be made into the matter, which he hoped would lead to a satisfactory alteration. The Department had had great difficulties to contend with in reference to telegraphic communication; but it had succeeded in doubling the number of stations, and adding from 12,000 to 15,000 miles of wire. He hoped that by the end of May telegraphic communication would be established to Fort Augustus.

RITUAL COMMISSION.—QUESTION.

MR. W. H. SMITH asked the First Lord of the Treasury, If it is the intention of the Government to introduce a Bill early this Session dealing with the Reports of the Ritual Commission?

MR. GLADSTONE, in reply, said, he had nothing to add to the answer given to a similar Question a few days ago by the Secretary of State for the Home Department. The Government were in communication with the more eminent members of the Episcopal Bench on the subject, and they were waiting to hear from these right rev. Prelates before arriving at a final decision. He had reason to believe that would not be long.

EDUCATION—THE REVISED CODE.

QUESTION.

SIR MASSEY LOPES asked the Vice President of the Privy Council, When he will lay upon the Table of the House the Revised Code on Education?

MR. W. E. FORSTER, in reply, said, he would lay the Revised Code on the Table of the House to-morrow, and at the same time he would also lay on the Table a Minute of the Educational Department with regard to instructions to school Inspectors with reference to the Time Table Conscience Clause, and also with reference to the examination of pupil teachers educated in Training Colleges. He hoped the Paper would be in the hands of hon. Members on Saturday or Monday at the latest.

PROTECTION OF INFANT LIFE.

QUESTION.

MR. CHARLEY asked the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce a Bill early this Session for the protection of infant life?

MR. BRUCE, in reply, said, that the subject of the hon. Member's Question had received the anxious attention of the Government; but he was sorry to say they were unable to promise legislation on the subject at an early period. He was aware that the hon. and learned Gentleman, and those who were associated with him in this work, had prepared a Bill, and if he would introduce it the measure should receive the attentive consideration of the Government.

TREATY OF PARIS (1856)—DECLARATION OF MR. ODO RUSSELL.—QUESTION.

SIR JOHN HAY asked the First Lord of the Treasury, Whether the declaration made by Mr. Odo Russell to Count Bismarck on the 21st November (contained in No. 76, page 45, of the Correspondence respecting the Treaty of March 1856)—namely, that

> "The question was one which Mr. Odo Russell had frankly proved to Count Bismarck was of a nature in its present state to compel us, with or without Allies, to go to war with Russia,"

was authorized by Her Majesty's Government, and what preparation Her

Majesty's Government had made in support of their threat?

Mr. GLADSTONE, in reply, said: The argument used by Mr. Odo Russell to Count Bismarck, as reported by him to Her Majesty's Government in the despatch alluded to, was not one which had been directed by Her Majesty's Government. In saying that, I do not imply the slightest blame attached to Mr. Odo Russell, because it is perfectly well known that it is the duty of Her Majesty's diplomatic agents abroad to use their best discretion in the mode in which they think they can support the argument or proposition it might be their duty to procure the acceptance of. I do not attach the slightest blame to Mr. Odo Russell in the matter; but such is the fact, that it was not under any specific authority or instruction from Her Majesty's Government that the argument referred to was used by him.

DIPLOMATIC MISSIONS IN GERMANY. QUESTION.

Mr. RYLANDS asked the Under Secretary of State for Foreign Affairs, If it is the intention of the Government, in consequence of the establishment of the German Empire, to abolish the Missions at Munich and Stuttgart, and also to take the present opportunity for withdrawing the Secretaries of Legation and Chargés d'Affaires from Coburg, Darmstadt, and Dresden?

Viscount ENFIELD, in reply, said, that with respect to the Mission at Stuttgart the vacancy that occurred there a few months since had not been filled up; and in regard to the other places mentioned by the hon. Member, any possible changes that might occur were still under consideration by the Foreign Department.

GOVERNMENT LIFE INSURANCE OFFICE.—QUESTION.

Sir HERBERT CROFT asked Mr. Chancellor of the Exchequer, Whether it is his intention to establish a Government Life Insurance Office?

The CHANCELLOR of the EXCHEQUER, in reply, said, that he had never concealed his opinion that Government would confer a great benefit upon the country if it were to give absolute security for life insurance. He must, however, hesitate before attempting to undertake it, because his opinion did not appear to be very extensively shared in by the public. Until the people asked for it, he did not think it would be wise in the Government to adopt it.

FACTORY ACTS—THE WORKSHOPS ACT.—QUESTION.

Mr. CHARLES DALRYMPLE asked the Secretary of State for the Home Department, Whether it is his intention, during the present Session, to take any steps to enforce the provisions of the Workshops Act, which is in many places altogether a dead letter, by making the present Government Inspectors of Factories responsible for workshops, or by any other means?

Mr. BRUCE, in reply, said, he was afraid the inspection of all workshops under the Workshops Act could not be effectually carried out without largely increasing the present number of Factory Inspectors, and he had more than once expressed an opinion that the subject could only be properly dealt with by a modification of the existing Acts. He had given instructions to have the matter inquired into, and hoped before long to lay the result of those inquiries before Parliament.

TRUCK COMMISSION.—QUESTION.

Mr. MUNDELLA asked the Secretary of State for the Home Department, If he is able to state when the Report of the Truck Commission will be laid upon the Table; and, whether he proposes to legislate upon it during the present Session?

Mr. BRUCE, in reply, said, the Commissioners had finished their sittings, so far as taking evidence was concerned; but he was afraid six weeks at least must expire before the Report would be ready. Until he had had an opportunity of considering the Report, it would be impossible for him to say whether any and what alterations of the present Act might be found to be necessary.

NAVY—COMMITTEE ON DESIGNS OF SHIPS OF WAR.—QUESTION.

Mr. CORRY asked the Secretary to the Admiralty, Whether the Committee on Designs of Ships of War has been called on to report on certain modifications which have been proposed by the Admiralty of the designs of Her Majesty's ships "Devastation," "Thunderer," "Fury," and of the four ships of the Cyclops class; if so, whether the building of those ships will be suspended until the Committee shall have reported fully on the subject; and, whether the Committee will be requested to report generally on the designs, and not on proposed modifications only; and, if so, whether the building of the ships will be suspended until the report of the Committee shall have been considered by the Admiralty?

MR. BAXTER: In reply to the right hon. Gentleman, I beg to say that the Committee on Designs of Ships of War has been called on to report not only on the modifications which have been proposed by the Admiralty on the designs of the ships referred to, but generally on the designs as well. He will find this in the Instructions given to the Committee for which the hon. and gallant Member for Stamford (Sir John Hay) moves to-night; and a fortnight ago a letter was addressed to the Committee begging that the Reports on vessels of the *Devastation* and *Cyclops* classes should be considered at the very earliest period, and as soon as the Report is received it shall have the immediate attention of the Admiralty. The four ships of the *Cyclops* class are being built by contract, and it would, therefore, be impossible to suspend the work, and the *Devastation* and the *Thunderer* are so far advanced that it has not been thought desirable to stop the work on them; but the work on the *Fury* will be suspended in the meantime.

ARMY—RECRUITING.—QUESTION.

MR. DICKINSON asked the Secretary of State for War, What number of men have left the Army, and how many have enlisted since the 1st of August 1870; and, whether the 20,000 men voted at the end of last Session have all been enlisted, or how many, and for what term of service, whether for Army Service, or partly for Army Service and partly for service in the Reserve?

MR. CARDWELL, in reply, said, the total number of men recruited was 26,155; of whom 22,772 were for long service, and 3,383 for short service. The net increase was 18,351.

REAL ESTATE INTESTACY BILL.

QUESTION.

MR. LOCKE KING asked the First Lord of the Treasury, If he will name an early day for bringing in the Real Estate Intestacy Bill?

MR. GLADSTONE: I am not in a position to name an early day for introducing the Bill; but I assure the hon. and learned Gentleman that I say this not out of any indifference to the subject, but from a desire that we should take the course most likely to secure the passing of the measure. My experience certainly has not shown me that there is any advantage to a measure in laying it on the Table a very long time before you can be certain of bringing it under the consideration of the House. It will be a very great disappointment to me and to the Government if we are not able practically to bring it before the attention of the House, and pass it this Session.

POOR LAW—SMALL POX.—QUESTION.

MR. HOLMS asked the President of the Poor Law Board, If he will state the number of cases of small pox reported among the pauper population of the metropolis, and the extent of the accommodation provided for them, or in immediate preparation?

MR. GOSCHEN, in reply, said, the last Returns showed that the total number of these small-pox cases under treatment was 1,228. The accommodation for them consisted of 520 beds in the metropolitan hospitals, and the Boards of Guardians had accommodation for some 300 more, making a total of 820 beds. There were, therefore, 400 beds short that day; but to-morrow 70 more would be provided; and during the next fortnight about 500 more. In the whole, the beds provided would then exceed the number of cases at present known. Some of the accommodation furnished by the Guardians was, however, of an insufficient and temporary character, and it might be requisite to have 200 or 300 additional beds. Of the 400 cases unprovided for the majority were at Bethnal Green, Shoreditch, and Whitechapel. A report had gone abroad that at Shoreditch there were 420 cases unprovided for; but that number was made up by an erroneous calculation. The real number of cases unprovided for at Shoreditch was about 150—certainly far too many.

CAPE OF GOOD HOPE—THE DIAMOND DIGGINGS.—QUESTION.

Sir HARRY VERNEY asked the Under Secretary of State for the Colonies, Whether the Government of the Cape of Good Hope has taken any and what steps for the protection of British Subjects at the Diamond Diggings in that Colony?

Mr. KNATCHBULL-HUGESSEN, in reply, said, that Mr. John Campbell had been appointed a magistrate for the district referred to, under provisions of the Act passed in the 26th and 27th year of the present reign. That gentleman had been received by the inhabitants with the greatest cordiality, and no disturbance was apprehended.

ROYAL FLINTSHIRE RIFLE MILITIA.

QUESTION.

Mr. RAIKES asked the Secretary of State for War, Why the Royal Flintshire Rifle Militia are still without the supply of breechloading rifles promised to be delivered to them at the end of 1870; and, whether it is intended to supply them with all convenient despatch?

Mr. CARDWELL, in reply, said, some had been already distributed, and he hoped shortly the corps would receive the remainder. The delay had arisen in consequence of the Department having been so much occupied of late.

PROTECTION OF LIVERPOOL, &c.

QUESTION.

Viscount SANDON asked, Whether Her Majesty's Government have made inquiries into the existing means for the protection of Liverpool and other large commercial ports from attack in the event of war; and whether it is their intention to make provision, during the present Session, for the proper security of such ports?

Mr. CARDWELL, in reply, said, the subject had been under the careful consideration of Her Majesty's Government. No proposal had been made in the present Estimates for the protection of those ports.

Mr. Goschen

THE NEW POST OFFICE.

QUESTION.

Mr. EYKYN asked the First Commissioner of Works, Whether the description of the new Post Office published by a member of the council of the Institute of Architects is correct; and, if so, whether any steps will be taken to improve the elevation of that building?

Mr. AYRTON, in reply, said, that to make both Question and Answer intelligible, he might explain that a member of the council of the Institute of Architects had described the design of the new Post Office as the ugliest ever conceived, as entirely devoid of all architectural knowledge and treatment, and as the result of the want of skill in the Department of Works consequent upon the arrangements recently made for carrying on the business of that Department. Perhaps the best answer to that was to state exactly what had occurred. The design for the new Post Office was originally prepared by an officer of the Department of Works, under the direction of the noble Lord the Member for North Leicestershire (Lord John Manners), when First Commissioner; but on Mr. Layard taking charge of that Office he had to deal with the design and did not approve it, but in conjunction with Mr. Fergusson, then in the Office of Works, he directed to be prepared what they deemed an improved design, which was sent to the Postmaster General and the Treasury. Being approved by both those Departments, tenders were invited for carrying out the design before he (Mr. Ayrton) became First Commissioner. To show the value of such architectural criticism as the question referred to, he might add that the Council of the Institute of Architects themselves recently recommended that Mr. Fergusson should receive Her Majesty's gold medal for his great knowledge—of which everyone was aware—in matters connected with architecture, and for his instructive writings on the subject, Mr. Fergusson being the gentleman who approved and settled the design for the new Post Office.

ANGLO-AMERICAN COMMISSION.

QUESTIONS.

Mr. GOURLEY asked the First Lord of the Treasury, If he will state to the

House the nature of the powers delegated by Her Majesty's Government to the Anglo-American Commission; and, if the Commission is empowered to close all claims for and against this Country arising out of the sailing of the "Alabama" and "Shenandoah?"

MR. W. H. GREGORY asked, Whether the Commission was empowered to abandon, without previous reference to arbitration, the position hitherto maintained by England of non-liability for the ravages of the "Alabama?"

MR. GLADSTONE: I came down to the House, after carefully looking into the matter, prepared to give an answer to the Question of which Notice has been given, and I will give a distinct answer to it; but I should not wish to answer the Question of the hon. Member for Galway without having first taken time for consideration, lest by answering hastily I might produce an unfair impression, neither do I consider it is expedient at the present for the public interest that I should do so. With regard to the first Question, I understand it to refer to two subjects—the first as to the extent of the subject-matter that would be covered by the powers given to the Commissioners, and next to the nature of those powers. As to the first point, the latter part of the hon. Member's Question is answered with perfect clearness, and in a manner that I cannot improve upon, by the passage on the subject in the Speech from the Throne. The latter part of the paragraph in the Speech describes the purposes of the Commission, and the closing words are these—

> "This arrangement will, by common consent, include all claims for compensation which have been, or may be made by each Government, or by its citizens, upon the other."

Then, as to the powers of the Commissioners, I will simply read two passages from the Instructions to the Commissioners. The first of them is this—the Instructions to the Commissioners commence by stating that—

> "They are appointed for the purpose of discussing in a friendly spirit with Commissioners to be appointed by the Government of the United States the various questions on which differences have arisen between Great Britain and that country, and of treating for an agreement as to the mode of their amicable settlement."

Another passage in the Instructions is as follows:—

> "Her Majesty's Government request, however, that if the mode of dealing with any particular matter which you may be disposed to agree to should vary materially from the manner of settlement to which I have informed you Her Majesty's Government are prepared at once to assent, or, in case of any disagreement of importance occurring between yourselves and the American High Commissioners, you should at once report by telegraph, and await further instructions."

FRANCE AND PRUSSIA—TERMS OF PEACE.—QUESTION.

MR. AUBERON HERBERT asked the First Lord of the Treasury, Whether an application has been made during the last few days by France to the English Government to lend their good offices with a view to secure moderate terms of Peace?

MR. GLADSTONE: Since I answered my hon. Friend's Question on a former day, a communication has been made to Her Majesty's Government by the French Government of Defence, which, as my hon. Friend knows, is at the present moment in the same position as a Ministry in this country which has resigned but holds the Seals of Office until their successors are ready to assume them. I am not in possession of a copy of that communication; but I think I can describe its purport, which I do not think entirely to correspond with the Question of my hon. Friend. The purport of it I understand to be, as it was conveyed by M. Tissot to Lord Granville, that the French Government of Defence expressed a hope, in a form more or less general, that Her Majesty's Government would exercise its influence in a way beneficial to France in reference to the negotiations for peace. In fact, what was intended to be conveyed was a hope on the the part of the Government of National Defence that Her Majesty's Government would, in order to facilitate the progress of the negotiations, recognize, with as little delay as possible, the new Government about to be appointed under the authority of the National Assembly. The communication was, as I understand it, the general expression of a wish for the friendly aid of England, and that, generally, the expression pointed specifically to an early recognition of the new Government. In reply to this Lord Granville stated to M. Tissot the satisfaction with which Her Majesty's Government had perceived the orderly manner in which the elections had been conducted in France under circumstances of extreme difficulty, adding that though Her Majesty's Government felt it to be a duty to reserve expressions of opinion for the present, they had made preparation to recognize the French Government without the slightest possible delay on its assuming Office.

IRELAND—LABOURERS' COTTAGES. QUESTION.

MR. W. H. GREGORY asked the Chief Secretary for Ireland, Whether it is the intention of the Government during the present Session to bring in any measure to promote the improvement of Labourers' Habitations in Ireland?

THE MARQUESS OF HARTINGTON, in reply, said, an Act passed in 1860, and commonly called Sir William Somerville's Act, provided for the making of loans, under certain conditions, in order to the building of labourers' dwellings. That Act would expire next year, and it would probably be necessary in the course of the present Session to renew it, with certain alterations and improvements which had been suggested by experience. At the same time, he could give no definite pledge on the subject.

LOSS OF HER MAJESTY'S SHIP "CAPTAIN."—QUESTION.

In reply to Sir James ELPHINSTONE,

MR. GLADSTONE said, that the Papers relating to the loss of Her Majesty's Ship *Captain* had that night been laid on the Table of the House.

SUPPLY—ARMY ESTIMATES.

SUPPLY—*considered* in Committee.

(In the Committee.)

MR. CARDWELL said: Sir, since we last met in this House to consider questions of military organization and military expenditure events have occurred in Europe of so marvellous a character that I think it no exaggeration to say they have no parallel in the records of history from the pages of Herodotus to those of Sir William Napier. These events have excited in the minds of the English people an anxious interest and a settled purpose to review their own military institutions, for the purpose of placing them on a basis of permanent security. The task which is before the English Parliament is not like that which was before the Prussian Legislature after the battle of Jena. We have no reverses to repair; and we do not begin upon a cleared foundation to build a new superstructure. Our more grateful, but not, perhaps, necessarily easier, task is to combine in one harmonious whole institutions which have great excellences, but which require considerable improvement in order to bring them up to the requirements of the time. There is the standing Army, with its historical associations and glorious memories, recruited by voluntary enlistment, and having a larger amount of foreign service than any other army in the world; there is the Militia, whose theory is conscription, but whose practice is voluntary enlistment; and there are the Volunteers, who have most of the attributes of military life, and all the independence of the most perfect civil freedom. To combine these different institutions in one complete whole is, as I believe, the desire of the House of Commons and of the English nation. Her Majesty's Government have thought the present opportunity favourable for accomplishing this object, because, while we have no dangers to apprehend, we have on the part of the community at large an interest in the subject which, in former years, it has been very difficult to evoke. And, Sir, it is the opinion of the Government that, if we are to deal at all with a question of this magnitude and importance, we ought not to deal with it in a superficial and partial manner, but ought to take a broad and comprehensive review of the subject, and endeavour to lay the deep foundations of a system which may render danger or the apprehension of danger in the future altogether unknown.

In endeavouring to discharge to the best of my ability the task imposed upon me I will first speak of the numbers of men for which the present Estimates provide, and next declare the views of Her Majesty's Government upon the great questions which underlie all the details of military administration, and which must be settled by Parliament before any Department can undertake, in a complete manner, the work of detailed organization. First, I shall speak with regard to the question of compulsory or voluntary service; then on the question of purchase in the Army; and, lastly, of the position of Lords Lieutenant of counties in regard to the auxiliary forces, with a reference to the relations which ought to subsist between the regular and the auxiliary forces of the country. And, perhaps, I may be permitted in the outset to quote some words of Mr. Pitt as being the natural and guiding principle for any Government in dealing with such a question as this. In 1803—at a time of great danger, very different from the present time—Mr. Pitt addressed to the House words which I think appropriate to a case like the present. He said—

> "I am still of opinion that to a regular Army alone, however superior, however excellent, even aided by the Militia, we ought not solely to trust; but that in a moment so eventful. . . . We ought to superadd to the regular Army some permanent system of national defence, either to a certain degree compulsory, or formed upon the voluntary zeal and patriotism of the country itself. This ought to be resorted to as the grand source of domestic security. The Army must be the rallying point; the Army must furnish example, must afford instruction, must give us the principles on which that national system of defence must be formed, and by which the volunteer forces of this country, though, in a military view, inferior to a regular Army, would, fighting on their own soil for everything dear to individuals and important to a State, be invincible."—[1 *Hansard*, Dec. 9, 1803.]

The present Estimates are, I am sorry to say, very much larger than those of last year. They amount to £15,851,700, being an increase of £2,886,700, or of £1,486,700 after taking into consideration the Vote of Credit assigned to the War Department, and amounting to £1,400,000. Over the Estimates of the preceding Government in 1868-9, after making an allowance for those Estimates on account of the Survey and some Indian payments — my right hon. Friend (Sir John Pakington) well knows what I refer to—the increase is about £718,000. Now, with regard to fully £1,000,000 of the increase, I shall not occupy the time of the Committee with any details, because I think it will probably be desired that we should not now occupy ourselves with mere details, but proceed to the larger questions which are involved in the subject before us. All I will say is that my right hon. Friend who sits beside me, the Surveyor General of Ordnance (Sir Henry Storks), will be able, when the time comes, to show you that the £1,000,000 to which I have referred is an expenditure of a kind which will never occur in ordinary years. With regard to the increase of 20,000 men made last year, that accounts for an increase in the Estimates of £1,049,000. The increase for the Militia is £412,000; for Volunteers, £81,500; and for the Army Reserve, £61,000.

Before I pass on to other subjects I should like to say, almost in a single sentence, a few words about the increase of men. The right hon. Gentleman opposite (Mr. Disraeli) spoke the other evening of disbanded veterans and attenuated regiments. We disbanded no corps of the British establishment proper, but only colonial corps, and I maintain that it is almost a universally accepted principle of English policy that colonial corps shall not be maintained at the expense of the taxpayer at home. The doctrine is that at home the population shall do more in its own defence in comparison with the amount of the standing army, and that it is no longer necessary to maintain, at the expense of the British taxpayer, a standing army to relieve our distant Colonies from the necessity of doing anything to defend themselves. And there is no one who has more clearly or more forcibly expressed that opinion than my right hon. Friend whom I see opposite (Sir Charles Adderley), who represented the Colonial Office under the late Government. I contend, therefore, that when we disbanded the Canadian Rifles, who defended the frontier between the United States and Canada, we did nothing to impair the defensive power of England, nor did we do anything to diminish that power when we disbanded the Cape Rifles, on the report of the Governor of the Colony that the mounted police would do the work better; and the same remark may apply to the West India regiments and to the black troops on the West Coast of Africa, neither of whom afforded any source of strength to England. These disbandings lighten the burden of the British taxpayer, while they in no respect diminish the power or the influence of this country.

Then with regard to attenuated regiments. The first person who introduced attenuated regiments was, I think, General Peel, acting as a member of the Government of the right hon. Gentleman opposite. That was, in my opinion, a most judicious and wise course, and let me take the liberty of saying that if you are ever to have a combination of efficiency with economy, you must, in a time of peace, have attenuated regiments. Such regiments do not look so well on parade; they are not so agreeable to commanding officers as regiments which are not attenuated, but they are very agreeable to the British taxpayer, and when you have them backed by a reserve they are equally conducive to the strength and power of the country. General Peel did not reduce those regiments below 600; that was at a time when the reserves were not yet formed, the time when he introduced the Reserve Bill. We reduced them to 500; but that was at a time when the reserves were raised and were ready to be put into the battalions. I will for a moment make a comparison in order to show our exact strength when we came into Office with what it was when this subject was dealt with last year. I am taking a comparison certainly not too favourable to myself, for the right hon. Gentleman had at that time at home rather more men than his distribution had provided, while in August last I had fewer than my distribution contemplated. In December, 1868, the right hon. Gentleman opposite (Sir John Pakington) had in this country 89,080 regulars, and 3,494 reserve men liable to service abroad. That left at home 92,574. On the 1st of August, 1870, we had only in this country of regulars 84,376—not because the Estimates did not provide more, but because 5,000 had not yet returned from the Colonies; but there was at that time a reserve of 22,313 men, making a total of 106,689, against 92,574. [Sir JOHN PAKINGTON: Chiefly Militia Reserves.] Yes, they were; that is to say, there were at home liable to serve abroad 14,000 more men after the Estimates had been reduced by two millions and a quarter. I say, therefore, the policy of attenuated regiments is a policy to which I am prepared to adhere when there are reserves prepared to fill those regiments.

Well, now about Militia Reserves. I have never been enthusiastic for Militia Reserves; but I own I cannot understand why special disparagement should be cast on a Militia Reserve from the quarter that carried the Bill for establishing it, and actually created it. If it was not a reliable reserve, why create it? If it is a liable reserve, why disparage it? My own opinion is, that you may have a much better reserve—namely, the Army Reserve. It was for the purpose of securing that object that I introduced and carried through Parliament last Session a Bill for short service, which I hold to be at the very root and foundation of all Army Reform. Having used the reserves which my predecessors had placed in my hands, and having passed a Bill for the purpose of introducing a better reserve, I consider myself entitled to adhere to and sustain the policy of attenuated regiments in a time of peace.

Now I should like to say a few words upon the subject of recruiting, about which I have been asked a Question in the course of the evening, because, to my great surprise, all through the Recess, some patriotic critics appeared to have taken special trouble to prove that our attempts at recruiting were failures. What possible satisfaction that could give to any person who had the strength or glory of his country at heart I could never understand. But let me state a few of the facts of the case. I have laid on the Table the Report of the Inspector General of Recruiting. The recruiting began in the middle of the harvest. It began without bounty, and I beg leave to remind the House that until last year it was an almost universally accepted dogma that recruiting without bounty was impossible. Well, we began recruiting without bounty, and almost immediately the occasion arose which led us to ask, and the House to vote, 20,000 additional men. The result has been that there was a larger number of recruits than during the time of the Crimean War, and even during the time of the Indian Mutiny, which has always been looked upon as the period when the greatest number of recruits were raised; and when a bounty of £2 was given and the medical examination was relaxed, the number did not greatly exceed that which we have now obtained. When you look at the bounty, the standard of height, and the medical examination, you will probably be of opinion, when you read the Inspector General's Report, that the recruiting of last year was really and substantially equal to that of 1857. Before I pass from the subject of bounty, I will observe that the system of bounty carried along with it the supposed necessity for the practice of marking. Bounty having been done away with, I have desired that the practice of marking may also be discontinued. [*Murmurs.*] I thought everybody in the House knew what marking was. Marking is the practice of imprinting letters upon the person in the way sailors frequently mark themselves. The letter "D." is put upon a deserter; the letters "B. C." upon one who has been guilty of very bad conduct. [Several hon. MEMBERS: Branding.] It is not branding. It is still sometimes said that we entrap and decoy recruits; but when you read the Report you will find that the recruits are sent without escort, a railway ticket being given to them at the places where they are recruited. They are sent by themselves to join their regiments; and a very small decimal represents the percentage of those who absent themselves, and that of these many afterwards join, having only missed a steamer, or a train. On the whole, I am sure you will feel that the recruiting has been extremely satisfactory.

On the question of short service, I wish to say that the numbers recruited under the Bill of last year are small, but that this may be accounted for by the operation of the prejudice which has always favoured the old plan, and because until the ranks of the Army were full we were not able to pass any men into the Reserve. The ranks of the Army are now full, or nearly so, and in a short time we shall begin to pass men into the Reserve. One of the objects of the measure I have to introduce will be that greater elasticity may be given in regard to short service than we were able to obtain by the Bill of last year. The House will remember that we had a great deal of discussion upon the subject. We were almost compelled to apply it only to the infantry, and that only for six years; but the war which has been raging on the Continent has shown abundantly that excellent soldiers can be made in a much shorter period than six years; and therefore I hope the House will permit us to extend the short-service principle to a much greater length, and thus to increase the Army Reserve.

I now wish to speak of the Militia, called, and justly called, by the Royal Commission "the solid and constitutional reserve of the country." We issued a circular to the commanding officers of the Militia regiments, in order to ascertain whether, in their opinion, they would be able to raise additional battalions or additional companies, and the result has been that we have received accounts which I have laid on the Table and which appear to show that we can raise 45,000 additional men in England, Scotland, and Ireland. Therefore, for the present year, there will be, including officers and permanent staff, 139,000 Militiamen. This is more than the statute at present permits us to raise; and one of the clauses of the Bill I shall have the honour to introduce will have for its object to enable the Crown to raise those additional Militiamen by voluntary enlistment within the limits of the Vote that Parliament may sanction.

The Volunteers have in the course of the year shown an increase of efficients to the number of 577, and of extra-efficients to the number of 8,176. The schools of instruction opened in the course of the autumn have been very readily attended, considering that they have been opened for so short a period, and at the present moment out of 460 men, 142 have passed the schools, and 318 have received certificates of competency. In the Estimates I have taken £40,000 for the Volunteers, in anticipation of the certificates to be obtained by officers, commissioned, and non-commissioned, in the present year. This arrangement made last year was not received at first with much favour by those who spoke about it in this House; but I hope those Volunteer officers who are present will agree with me in opinion that they have been received favourably by the Volunteer Force.

I will now pass on to state the numbers for which we propose to provide. The present Estimate provides on the British establishment for 135,047 Regular troops, 139,000 Militia, 14,000 Yeomanry (9,000 whom we hope to get for the First Army Reserve), and 30,000 Second Army Reserve and Pensioners, making in all 327,047 men, and if you add for efficient Volunteers 170,671, the whole will amount to 497,718. Of these there will be in this country 108,108 Regulars, 139,000 Militia, 14,000 Yeomanry, the First Army of Reserve amounting to 9,000, and the Second Army of Reserve and Pensioners to 30,000, making a total of 300,108, besides 170,000 Volunteers. And now I will just state how the 20,000 men added to the Army are disposed of.

The artillery has been increased by 5,254 men, the cavalry corps by 1,888, the infantry by 12,257, the engineer train by 333, the army service corps by 319, the army hospital corps by 140, making in all 20,191. Deducting from this 211 men, mainly consisting of two companies of the Ceylon Rifles, which are to be reduced, the number will be 19,980. Now, for this force of 300,108 men, which I said we shall have at home, one of the most important questions is—What is to be the field artillery? We have raised the horse artillery from 10 batteries to 16, having 96 guns; and we have turned 20 garrison batteries into field batteries, making 40 altogether, with 240 guns, making a total of 336 guns. And in reserve we have 12 batteries, with 72 guns, making in all 408 field guns, which would be a sufficient number of guns for a force of 150,000 men. I think it right to state these figures, partly because the subject is one which excites great interest, and partly because it is a necessary introduction to the first question which I wish to lay before the House—that is, the question of voluntary or compulsory service. Until we have clear ideas whether we mean to adhere to our present system of voluntary service, or to adopt some one of the many plans of compulsory service which we see daily presented to us, we cannot proceed with any detailed arrangements. Now, the question is not whether compulsory service shall be, as it has always been, a portion of the law of the country, not whether it shall be that last resource which the Sovereign and Parliament can apply in the moment of supreme emergency, but the question is, as we see every day recommended, whether compulsory service shall be called into action and become part of the daily administration of our military system. Sir, before enforcing a plan like this we should require indeed conclusive proof—something which should compel us to change our ancient habits and enter upon a course which, to my judgment, would be most distasteful to the country, and extremely objectionable in every point of view. It is sometimes said that compulsory service would be simple and logical, that it would solve all difficulties, and that if you only had recourse to it all the objections which surround it would at once disappear. That argument seems to me to involve that there should be compulsory service for the standing Army, a proposition which nobody ever, I think, was bold enough to support. If it is to be compulsory service for the Militia, on what ground is it to be defended? The right hon. Gentleman the Member for Cambridge University (Mr. Walpole) in 1852 brought in the plan, which works extremely well, of voluntary enlistment for the Militia. Why depart from it and establish a compulsory system? I have seen it argued that it would be a great moral advantage if all men of all classes were compelled to serve together in the ranks under pressure of an Act of Parliament. To me it appears that there is not a nobler spectacle than this country presents, where all classes serve together, but serve together in a voluntary service, and have always hitherto in our time maintained a sufficient force. Before the Great War the theory of compulsory service existed, and what was the result? Why that almost all the persons who served were substitutes. And what was the result of that in its bearing, whether upon the individuals selected or upon the country at large? To the rich it was simply unqualified injustice. A rich man who was struck by the Ballot simply paid out of his own purse a large sum when he ought to have contributed only his portion as one of the community. What was it to the poor? From the poor man you took everything he possessed, his capital, his labour, his time, which was his only capital. And what was it for the State? By raising the price of the substitute in the market you enhanced the price of your recruit for the Army; you were bidding against yourself, you defeated your own measure, and you were absolutely obliged to give it up. Well, Her Majesty's Government are not prepared to recommend that there shall be compulsory service, whether with substitutes or without them. They agree entirely with the language used the other day by Lord Derby at a meeting in Lancashire, where he said—"You would find it the cheapest in the end to pay for the labour which you want." I have gone into the subject and expressed my views upon it at some length; but so much has been said about it for the last few months that I wished to express clearly and strongly the opinions which

I entertain. They are so well put in a Report upon recruiting by the late Mr. John R. Godley, that I cannot do better than quote his words. Mr. Godley wrote—

> "Conscription, which is, at first sight and superficially, a cheap mode of recruiting armies, is, in reality, the most expensive that can be adopted. It is a tax by lot, confessedly the very worst kind of tax that a Government can impose. Where substitutes are allowed and provided, the tax is paid in money, and consists of the price paid for the substitute; the only difference between such substitutes and recruits provided as ours are being, that in the former case the bounty is paid by the unfortunate individual on whom the lot has fallen; in the latter case by the public. The case is still harder with those who cannot afford to purchase substitutes; on them the conscription is a tax which takes at one swoop their whole capital—*i.e.*, their labour and their time. It matters not what the value of that capital may be—whether they be skilled or unskilled, educated or ignorant, earning high or low wages, producing largely or producing nothing, down comes the relentless conscription, takes possession of them for the best part of their lives, and gives them in return hardly more than clothing and food. In these cases the pecuniary amount of the tax is represented by the difference between the value of the conscript's labour at his calling and his pay as a soldier. But no pecuniary expression can represent the full amount of individual suffering and public inconvenience which must be the result of so extensive and violent a dislocation of labour. Compulsory service of any kind would be peculiarly injurious to a country inhabited by an enterprizing and colonizing people like the English. Such a people always sits loosely to the soil, and the prospects of a conscription would infallibly lead to a regular and large immigration of our best workmen, a class of whom we already lose too many. Of course, if there is no other way of getting an army, we must have a conscription; but surely everything else ought to be tried before we have recourse to it."

Well, it appears to me also that everything else ought to be tried before we adopt this system. We do not employ conscription even for the Navy, our first line of defence. The right hon. Gentleman the Member for the University of Cambridge based his Militia Bill on the voluntary principle, and I hope that in ordinary times we shall be able to secure a sufficient force without departing from that principle. In cases of emergency the law imposes the obligation of compulsory service; but it is not enforced in a manner which can be said to be either very efficient or simple. We, therefore, propose to insert in the Bill clauses empowering the Sovereign in times of emergency to call Parliament together, and to raise, without delay, the forces which may be deemed to be necessary under such circumstances for the national defence. Well, if we can have a force sufficiently large in all ordinary times by means of voluntary service, and if we supplement that force in cases of emergency by having recourse to the common-law obligation of every man to defend his country, the next question which arises is—How are these forces to be organized? When you come to consider this subject, you will find that there are two great questions which must be decided before you can enter into details. These are the questions of purchase in the Army, and the position of the Lords Lieutenant of counties with reference to the auxiliary forces. I believe it to be the desire of the country and of Parliament to unite and amalgamate all the different forces of the nation into one harmonious and compact body, so that they may be employed with the greatest advantage for the purpose for which they exist. In order to effect that object you must place them under one government, and in order to place them under one government you must apply to them something like the same rules and the same system. You cannot have the purchase officers of the Army amalgamated and interchangeable with the non-purchase officers of the reserve forces. You cannot have all your forces amalgamated and interchangeable so long as you retain a system under which at present the regular forces are under the direct government of the Crown, and the auxiliary forces under the control of the Lords Lieutenant of counties. Therefore it is that you must make up your minds as to whether you will continue or abolish the system of purchase, and whether you will keep your reserve forces in the hands of the Lords Lieutenant or transfer them to the Crown.

Now, with the permission of the Committee, I will take the question of purchase first. Everybody knows that the practice of purchase is co-existent with the existence of our Army. It was prohibited by William III. for a short time; but it was revived in 1701, and in 1711 rules, and in 1719 regulations, with respect to it were made. In 1857 a Royal Commission was appointed, of which the Duke of Somerset was Chairman, and by which many distinguished men were examined with respect to the question of purchase. The Commissioners, in their Report, sum up all that is to be said against and for the system with judicial impartiality. On the one side they say—

> "It is contended that it is vicious in principle, repugnant to the public sentiment of the present day, and equally inconsistent with the honour of the military profession and with the policy of the British Empire. The system it is moreover affirmed produces ill effects on the constitution of the Army, and impairs its efficiency by giving an undue pre-eminence to wealth, discouraging exertion, and depressing merit.
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> "It encourages habits of expense and dissipation, injurious to discipline and embarrassing to the poorer officers.
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> "It sends an officer into battle with the knowledge that in hazarding his life, he hazards also the future prospects of those who are dearest to him."

This, indeed, has been since the Crimean War modified as regards the regulation, but still remains as regards the over-regulation price. The Report proceeds—

> "The regulation price of commissions is a fiction. . . . Cases of this kind lead to traffic and bargaining among officers, whereby a mercenary feeling, it is alleged, is created in men whose guiding principles should be a nice sense of honour and a disinterested attachment to the public service."

Now it is impossible to conceive anything more alien from the feelings of that noble profession, whose object is not the acquisition of wealth but the discharge of duty and the attainment of honour, than the qualities which are spoken of in that Report of the Duke of Somerset's Commission. They may truly say—

> "They are not covetous for gold. . . .
> Such outward things dwell not in their desires:
> But if it be a sin to covet honour,
> They are the most offending souls alive."

On the other side, the Commission reported that the feeling of the Army was generally in favour of the continuance of the system of purchase, on the ground that it facilitated retirement, and was a security against favour. The Commission pointed out that the command of a battalion was a most important trust, and that no man, unless there was reason to believe he was thoroughly competent, ought to have the lives of his fellow-subjects committed to his charge. They showed that the loss of a battalion, the result of his incapacity, might be the loss of a battle, and the loss of a battle serious disaster to the Empire. They therefore recommended that, at least with regard to the command of a battalion, the system of purchase should be abolished. We are now in the fourteenth year since that recommendation was made. In 1860 it was taken into consideration by the Cabinet of Lord Palmerston, and it was determined to adopt it. We are now in the eleventh year since that decision was arrived at, and nothing has been done, and no wonder: for, in the first place, it was almost equally applicable to the major, and, in the next, the abolition of purchase in the case of the lieutenant-colonel must affect the interests of every officer in the regiment. Again, in 1868, my right hon. Friend (Sir John Pakington), whom I see opposite, submitted to the Queen that it was advisable to do away with the rank of cornet and ensign in the Army. He did not, however, remain in Office long enough to devise and submit to Parliament a scheme on the subject. That task fell to me, and I endeavoured to discharge it to the best of my ability. I took the advice of some of the most experienced soldiers in the Army with respect to it, and I had every reason to believe that the plan which I proposed would be satisfactory until I announced it in this House. A more dismal reception than it then met with—a more universal rejection never in my recollection fell to the lot of any proposal made within these walls. What was the cause? It was that while I was asking Parliament to make a considerable contribution of the public money for a purpose which I believe was admitted to be advantageous to the Army, I had omitted to provide for the case of over-regulation prices, and yet I am sure the right hon. Gentleman will not say that he would have proposed a Vote for the over-regulation price. That rendered it necessary to have an inquiry, for, although everybody knew what over-regulation prices were, except those who were responsible, yet everyone who was responsible was obliged to be entirely ignorant. The Royal Commission which was appointed consisted of the most eminent men, many of them being Members of this House, and at the head of it was my right hon. Friend the Member for Morpeth (Sir George Grey). They reported unanimously, and I think I may, without fear of contradiction, say that their Report was strongly in favour of over-regulation prices. Now, statutes more stringent than those prohibiting over-regulation prices it is impossible to conceive. We have, therefore, Acts of Parliament prohibiting that in favour of which a Royal Commission has reported. The conclusion I draw from that is, that Earl Grey was not far wrong when he told the Duke of Somerset that the wisest thing we could do was to let purchase alone until we could abolish it altogether. Having those Acts of Parliament to which I have just referred on the statute book, are we to enforce those stringent penalties, notwithstanding the Report? Are we to leave them on the statute book, and fail to enforce them? Are we to repeal them, and declare that we have no control whatsoever over the system of purchase? Are we to say that there is to be no protection for the officers who cannot afford to meet the rise in price, so that, in fact, the obtaining commissions shall be simply a question of the highest bidder? ["No, no!"] But it would be so when you repealed the Act of Parliament. We are, therefore, brought by two classes of considerations to the absolute necessity of considering the subject. You can decide in favour of maintaining the purchase system or in favour of abolishing it. But under the circumstances of the nation at the present time you are compelled by irresistible necessity to come to a fixed and settled determination. You want to introduce a reform which, probably, will involve a complete change in the organization of your Army; you have heard or read of the Prussian system, and are considering, perhaps, whether, in some respects, it might not be advisable to adopt some portions of that system; and you cannot stir without interfering with pecuniary interests in a manner which you would regret, or without creating new pecuniary interests which you have no right to do until Parliament has made up its mind on the subject. I say you are compelled to come to a decision on this subject. Now, what is this decision to be? The arguments on the side of retaining the purchase system are strong, and the first is that you will have to pay a very large price if you wish to abolish it. If you decide in favour of this course, and if you accept the recommendations of my right hon. Friend, as I, for one, think you will be obliged to do, and recognize to the full the customary price of commissions, the amount in the purchase regiments will not be less than £7,500,000, and may run up to nearly £8,500,000, as will be seen from the calculations which I shall lay upon the Table of the House by-and-by. Well, that is a very large sum. But there are other difficulties still greater. What will you do about retirement? It is impossible to determine with accuracy what will be required in the way of retirement. The Duke of Somerset's Commission reported that to do away with the system of purchase you must introduce these two principles — selection and compulsory retirement. I am not able to tell you what retirement will be necessary—no one, indeed, but a prophet could tell you that. It must be tried by experience before you can come to any result. There are those who believe that, if purchase was abolished, many men would send their sons into the Army for the benefit of the training, to leave it after a short interval, and that promotion would, therefore, be as rapid as it is now. They would say, why should I be less willing to send my son into the Army when I have no commission to pay for, and when the Army would be a better school? I confess I do not agree with that opinion, and believe that we should have more retirement to provide. Another possible conclusion might be arrived at, and that is that in the reserve forces we hope to be able in future to find many places for officers of the regular service. How far that would furnish the retirement without putting the country to the expense of providing retirements no person can possibly predict. It is a question which you must look forward to face when it arises, and all you can say is that the charge, if it does arrive, will be a necessary and a legitimate charge, and that Parliament must be prepared to meet it. But there remains another difficulty, and that is, how promotion is to be regulated. The Royal Commission say—and I think with truth—that you would do harm in the Army if, in abolishing purchase, you substituted seniority, pure and simple. I believe the truth is that, if you abolish purchase, you must accept the principle of selection. You must act upon the principle of selecting for promotion those who merit it, and you must not allow inert or inefficient seniority or a system of pecuniary advantage to prevail. Well, then, the question is, are you prepared to meet these three objections?—Are you prepared to sacrifice a very large sum of money? Are you prepared to look forward to dealing with the question of retirement? and are you prepared to adopt the principle of selection? Her Majesty's Government have carefully considered all these questions. They are of opinion that unpaid service is very generally the dearest of services. They are of opinion that this system of trafficking and purchase in this glorious profession ought to cease, and they therefore recommend to the House the abolition of the purchase system. The Bill which I shall have the honour of laying upon the Table of the House will explain the mode by which it is proposed to carry this into effect. After a certain date no pecuniary interest shall be taken by anyone in any new commission, and no man shall be placed in a worse position as to the commission he at present holds in respect to either regulation or customary price. Commissioners will be appointed, who will at once ascertain the over-regulation price in every regiment, and with money from the Votes of Parliament they will stand in the place of purchasers. When, therefore, an officer retires by the sale of his commission, he will receive from the Commissioners both the regulation and the customary price of his commission. I use the phrase "customary price" because it is the most accurate legal definition of the money paid in excess of the regulation value. When an officer retires on full pay or half-pay, and proves that but for the abolition of the purchase system he would have received the over-regulation price of his commission, the amount will be paid him; and when he wants to sell his half-pay commission, and is permitted to commute it, and proves that but for the passing of this Act he would have been eligible to sell, whether by exchange or otherwise, he will receive from the Commissioners the difference between the regulation price and the commutation. An officer, again, having on the appointed day a claim by years of service to a price higher than that of his present commission, and afterwards promoted, will receive the price, if subsequently promoted, out of the regulation price of the higher commission—that is to say, the Bill recognizes the vested interest of a non-purchase officer, as it recognizes the vested interest of the purchase officer. The Act also contains a clause which provides that claims to compensation in the old Indian regiments shall be considered by the Commissioners according to the recognition which has been given to such claims by the Secretary of State for India. At present, of course, only those officers can sell who can find purchasers; and in framing a measure of this kind in a spirit of great liberality it is necessary to fix some limit; or, if you make the Consolidated Fund the universal purchaser, there is no saying how rapidly the process might go on, and after some time you might observe that a very great diminution had been made in your Army, and some considerable diminution in your Consolidated Fund. Therefore the limit we have fixed is this—that no greater number of officers shall retire in any year than the maximum number of that rank and branch of the service in any of the preceding five years, without the sanction of the Treasury. I believe that no case has been omitted from the draft of the Bill. I shall lay the computations upon the Table of the House, and, as hon. Members will see, it will vary from £7,600,000 at the least to £8,400,000 at the most. Of course it will not all occur at once. It will be a considerable charge for the first few years, after which it will rapidly decline, and become comparatively small.

The next important question that arises is as to first commissions. If the House should adopt the scheme of the Government the first commissions will, of course, be given without purchase, and therefore it is necessary to consider what is the proper and legitimate way for the public to bestow that which it is intended to give as a free gift. We propose that the first commissions shall be given in one of several ways. First, that admission to Sandhurst shall be by competitive examination, as recommended by the Royal Commission on Military Education; and that those who have obtained admission to Sandhurst by competitive examination should receive commissions, provided they were found to conduct themselves in such a manner as to entitle them to the position; that a certain number of subalterns of Militia regiments who have served for two years in the Militia regiments and have received favourable testimonials should be granted commissions without purchase in the Line. Non-commissioned officers, of course, as now, should obtain commissions; and considering that one of the consequences of this proposal would be to abolish the rank of cornet and ensign, it is necessary to consider whether it would not be expedient to institute an order of cadets. The Royal Commission on Military Education recommended that there should be garrison instructors and regimental instructors in the regiments. We have carried into effect the proposal as regards garrison instruction to great advantage; and when you have extended it to regimental instructors, it is at least a question whether it would not be of great advantage that young men should enter the regiments as cadets under the regimental instructors before they received their commissions. If this were done the commissions could be withheld in the case of young men who found, upon trial, either that they did not like the service or that the service did not like them. Then, of course, there would be the University men, who now are qualified for commissions, and those commissions to which these several sources did not furnish candidates would be filled from the general public by competitive examination. These are the modes by which it is proposed admission to the Army should be gained on the abolition of purchase.

Then we come to the question of promotion, and if we adopt the opinion of the Royal Commission of 1857 we must decide that promotion be made by selection. But of all the problems of life none is so difficult of solution as to decide in whose hands the power of selection should reside, and by what rule that power should be exercised. One thing, however, is quite certain; we shall all agree that the administration of the patronage of the Army should not be placed in the hands of a political party. That is a point upon which the Committee of which Sir James Graham was Chairman expressed the strongest opinion. At present the responsibility rests upon the Secretary of State for War, and I do not think he should be relieved of that responsibility. If an improper appointment be made, the person who should be responsible to the Crown and the country is the Secretary of State; but the selection of the person destined for promotion should not rest with him, but with a high military officer, subject to the approval of the Secretary of State. To secure fairness of promotion, the reports of general officers inspecting will be furnished in greater completeness to the General Commanding-in-Chief, and be tabulated and recorded in the office of the Military Secretary. These will form the basis for selection according to the regulations about to be laid down; but I will not enter into details upon the mode in which security is to be afforded to the Army for the impartiality and fairness of promotion, because the matter is still being carefully considered by some of the most eminent officers in the Army; and I must render my thanks to Sir William Mansfield for the assistance he has been good enough to give me upon this subject, in conjunction with his Royal Highness the Field Officer Commanding-in-Chief. Speaking generally, promotion from subaltern to captain would be regimental, and, speaking generally, promotion from captain to major and from major to lieutenant-colonel would be army promotion. First appointments to the rank of major and lieutenant-colonel would be limited in point of time, so that those whom experience proved to be inefficient, and whom it would not be desirable to re-appoint, at the expiration of some limited period —say, five years—would not be re-appointed. There should likewise be a limit of age. I believe this is very much the system that prevails in the Prussian Army, where it is attended with this consequence — that when a man finds that he is not selected, he naturally discovers he is not wanted and leaves the service. It is, in fact, a system designed to sift out those failing through defect in character, health, conduct, or intellect to come up to the proper standard of military excellence; it will not prejudicially affect officers of average ability and zeal, nor will it operate to elevate juniors far above their seniors, except in cases of very extraordinary merit. But you will observe that there is one important consideration at the root of this part of the question—namely, that if you do not retain selection at every part of the system, you will immediately find, as soon as you have spent a large sum of money in abolishing one system of purchase, you have laid the foundation of another. The security against the growth of another system of purchase is first a rigid enforcement of the law. If Parliament consents to make this great contribution towards the abolition of purchase, Parliament will not be satisfied without its enforcement. The next principal consideration will be, that the successor shall never be known until his predecessor has left his place; and the third is that, wherever there is the slightest suspicion that any corrupt pecuniary arrangement has formed the basis of retirement, selection shall be vigorously exercised to put it aside. With regard to the rapidity of promotion after the change is made, it is impossible, at the present moment, to say more than that changes will occur after the passing of the Bill, and those who take positions in the Army must be prepared to accept those positions on that understanding, with the knowledge that a reasonable rapidity of promotion will be secured probably much the same as the average of past years. Then, Sir, in whose hands are these large powers to be vested? The answer is—they will be vested in the officer who is chosen by the Government of the Sovereign to be Commander-in-Chief of the Army, subject to the approval of the Secretary of State for War. Hitherto there have been two offices from which military affairs have been administered —that of the Secretary of State for War in Pall Mall, and that of the officer commanding-in-chief at the Horse Guards. It is not easy to exaggerate the inconvenience arising from the separation of these two offices. That inconvenience was commented upon by Sir James Graham's Committee more than 10 years ago, and it is, I believe, universally admitted; but physical obstacles have hitherto prevented our overcoming this inconvenience. It is the desire of everyone, I believe, that, if possible, a new building should be ultimately erected upon the historical site where the Horse Guards now stands; but we have never been able to obtain the means of carrying that into effect, and even if we had the site to-morrow it would probably be something like 10 years before the design could be accomplished. Hitherto there has been no room for the two establishments in either one of these buildings; but last year a very considerable reduction in the establishments of both was made, and now we shall be able to accommodate under the roof of the War Office in Pall Mall the officer commanding-in-chief and all that belongs to the principal establishment of the Horse Guards. The next question is, what is to be the tenure of the officer commanding-in-chief and the Military Secretary? Perhaps I may be allowed to say, in passing, that I have seen with very great regret a good deal of comment made on this subject, which seemed to me to have had a personal character. I shall therefore make no further allusion to this fact, lest, by doing so, I should be myself the unwilling instrument of importing matter of that description into the discussion, matter which I am persuaded it would be the wish and the duty of both sides of the House to avoid. With regard to these two offices, Her Majesty's Government have considered that the position of the officer commanding-in-chief must be looked upon as an exceptional one as compared with that of any other Staff officer, and that, therefore, it cannot be regulated with mere reference to time. It is obvious that he should be in harmony with the Government of the day, and that his continuance in, and removal from, office must depend upon considerations of public policy; and Her Majesty's Government therefore think that it would be a mistake to apply to the person holding that office a condition derived from the mere limit of time. But with regard to the post of Military Secretary, which is now exempt from the five years' rule that applies to other Staff officers, I think there is no reason for the exemption, and that it ought to be rescinded. Our object should be to secure the greatest exactness and the greatest impartiality in regard to every officer in the Army; and the intention is that promotion should rest upon the selection of the officer who may be commanding-in-chief, subject to the approval of the Secretary of State for War. I have now, I think, exhausted—I am afraid at too much length—what I have to say on the difficult question of purchase. I do not say that we have devised a theoretically perfect plan; but, after balancing the matter with the best judgment I have been able to bring to bear upon it, I do earnestly recommend our proposal to this House as being the one surrounded with the smallest difficulties; and I do not see how you can achieve any complete organization in this country of an army combining the regular with the auxiliary forces until you have abolished the system of purchase in the Regular Army.

Then, with respect to the auxiliary forces, in 1869 we obtained power from Parliament to place the Militia, when out for training, under the command of the general officer of the district, and in 1870 we divided our military districts into sub-districts, under the command of general officers; and that arrangement, as far as I can understand, works to the satisfaction of the officers of the Militia. I believe they prefer that amount of union with the regular service, and to be placed under the general officer of their district. But we have now in these Estimates included a colonel on the Staff for every one of these sub-districts, who will have under him between 15,000 and 20,000 of the auxiliary forces of the country; and we propose to make him a kind of brigadier, or commander of the whole force, in order that the regular and auxiliary forces may be more closely compacted and united together. The Inspector General of Reserve Forces, after a study of the reports of the inspecting officers, tells me, I am happy to say, that he thinks them satisfactory as regards these auxiliary forces. Yet I think it will be admitted by Gentlemen connected with them who sit in this House, that there has not been a sufficiently close inspection of them, and that if there were a more vigorous one, and it were known where to apply the pruning knife and to remove that which it was desirable to remove, that would greatly add to the efficiency of those forces. We, therefore, propose that there should be a colonel on the Staff of the regular Army for every 15,000 or 20,000 of the auxiliary forces in each district. Then we come to the question from whom should these auxiliary forces hold their commission; and this is a question which, at some periods of our history, was a great political consideration, but I think it has long ceased to be so. The opinion of Her Majesty's Government is, that the commissions now given by the Lords Lieutenant of the counties should in future emanate from the Queen. We propose, therefore, to transfer to, or to re-invest in, the Queen the issuing of these commissions, and to make the auxiliary forces — though of course recruited, enlisted, and embodied, when they are embodied, according to their own separate constitution and character—all hold from the Queen, all be under one command, and all be regarded as members of the general defensive and military system of the country. The promotions will all be made on the same principles as in the Regular Army, the Inspector General of the Reserve Forces being always consulted with respect to every promotion. In reference to first commissions, I should hope that the Lord Lieutenant of the county would give his recommendation, so that that most valuable element of the Militia Force—the county influence—may not be entirely got rid of. In communicating to the Militia a more military character, it is far from the desire of the Government to deprive it of any portion of that local character which we know to be so important.

Then, Sir, we come to the question—How we can give a greater local connection to the Regular Army? I have already said that the detailed organization of the forces cannot be completely undertaken, much less carried into effect, until Parliament has declared its purpose upon these great questions. Do you agree with the Government in thinking that in ordinary times we should look exclusively to voluntary service, and should not entertain the notion of compulsory service except in the case of a great emergency? When Parliament has come to its decision on that point, one important part of the problem will have been solved. The next question is—Do you approve the abolition of purchase in the Army? and the third question is—Do you approve of the transfer from the Lords Lieutenant of counties of the power which they now exercise of granting commissions in the auxiliary forces, that power being re-vested in the Crown? But in the meantime there are some means to which we may resort for establishing a closer connection between the regular and the auxiliary forces. The old principle of depôt battalions was much objected to on several grounds. It was costly; it was inefficient; it removed the officers from direct subordination to their commanding officers, and placed them under the commanding officers of the depôt battalions. Now it is proposed to establish training centres for the regular troops and the Militia upon the local principle. Each colonel on the Staff having from 15,000 to 20,000 of the auxiliary forces under him, would also have under him the whole recruiting service of his district; he would have the command of all the reserves, except the technical instruction of the artillery, which would be conducted under the officers of the Royal Artillery. The infantry regiments which have now a local designation would retain that designation, and be attached to the sub-district in which the county they belong to is included. Regiments not having a local designation will be assigned to a sub-district, regard being had to its population and recruiting power. Regiments will recruit in their own sub-districts. The permanent Staff of the Militia and the Volunteers will be utilized by the colonel on the Staff when the regiment is not out. Recruits for the Militia will be trained, as far as possible, with those for the Regular Army, and it is proposed to train them for a longer period than the period during which they are now trained, the object not being to extend the term of training the Militia—which would, generally speaking, be such a disturbance of the labour of the country that it could not be endured—but sending the recruits to be much better trained at first in order that they may not require a longer training after they have joined their regiments. The adjutants of the reserves should be frequently selected from captains on full pay of a regiment of the same district, and they should be appointed for five years, subject to renewal if specially recommended, being in the meantime supernumerary to their regiments. In that way a close connection would be established between the regular and the Militia regiments of the county. In like manner the permanent Staff of officers of the county regular regiment would frequently be lent to the Militia regiment during the period of training if it desired to receive it. The Militia Reserve of the sub-district would, as a general rule, in the event of war, be draughted to the regiments in the same sub-district, although, from the exigencies of the service, it might not be possible to do so in all cases. That is a sort of general outline of the mode in which it is proposed, under the colonels of the Staff, to unite more closely than ever was done heretofore the regular and the auxiliary forces of the country.

With regard to the Volunteers, the Volunteer Force is one for which I have always felt and expressed the greatest possible respect; and I think it is a noble spectacle to see the sacrifices of time and convenience which has been made by men who have no other desire than to serve their country. At the same time, I believe everybody sees that a much more careful organization of the Volunteer Force is necessary if it is to be made an integral part of our effective military system. Well, I think I may say for myself that we were the first to admit the principle that all necessary expenses for the Volunteers were to be paid by the State. We examined carefully what these necessary expenses were, and they amounted, after the best calculation we could make, to the sum that is now allowed—namely, to the power of earning 35*s*. per man per annum. But, inasmuch as one of the greatest deficiencies of the Volunteer Force has been the imperfect fitness of the officers for the discharge of the duties devolving upon them, we have thought the proper way of giving an additional capitation allowance would be not to scatter it broadcast over the whole body, but to give it in large sums to those officers and non-commissioned officers who go to schools of instruction, or who otherwise qualify themselves for the discharge of their duties, and we have taken an additional sum of £40,000 in these Estimates for the officers and non-commissioned officers who have qualified during the year. Further, we do not intend that any commanding officer of Volunteers shall hold at the same time two commissions; or, at least, if he does, one of them shall be a purely honorary commission, and shall not be in any way a substantive one, and we think that after a very limited period, every officer in the Volunteers may be expected to make himself thoroughly competent. Allowances have, for some time, been made to that most valuable force, the Artillery Volunteers, to enable some of their body to proceed to Shoeburyness for the purpose of receiving instructions, and those Members of this House who have read the Reports made by the Royal Artillery officers on the subject must have been struck by the great value which this training has had. We now propose to extend this system to the Rifle Volunteers, and to enable some of them to attend camps of instruction, a proceeding from which we expect much good to result. Speaking generally, we do not wish to lay down for the body of Volunteers any small and vexatious rules; but when there is a colonel of the Staff responsible for every 15,000 or 20,000 of the reserve forces, I am sure that the Volunteers themselves will be satisfied that we ought to strike off from the capitation grant all those corps, and all those Volunteers, of whom the colonel or the Staff is not able to report that they are really and actually efficient as defenders of their country. Some of the rules at present in existence do not appear to be of much benefit to the force. It is an anomaly that a man may be technically "efficient" as a rifleman without ever having been to the targets. It must appear reasonable that a man should be expected to make himself a rifleman before receiving the capitation grant. All that is now required to be done by a Volunteer to entitle him to a certificate granting capitation for extra efficiency is that he should fire 60 rounds, a feat which I have seen performed in little more than two minutes at Wimbledon, and, therefore, I think it would not be calling upon the Volunteers to make any excessive sacrifice if we ask them to submit to terms which will render them efficient for the service they have bound themselves to perform. It is one part of the Government plan to make arrangements for brigading the Regulars, Militia, and Volunteers more largely than has been the case in the past, and that being so, I have put a clause into the Bill, which I shall ask leave to introduce, providing that when Volunteers are out with the Regulars they shall be considered as being on actual military service, the meaning of which is that the Mutiny Act would apply to them. Another great difficulty with which we have had to contend in reference to the Volunteers has been the irregularity with which many of them attend to their duties. It seems to me unreasonable that when a flying column has been sent from Aldershot to Wimbledon to be present at a Volunteer Review, and when His Royal Highness the Field Marshal Commanding-in-Chief or some officer of high rank in the Army has undertaken to go down and review the forces, it shall be a matter of uncertainty how many Volunteers will be present. This is a state of things we ought to take measures to remedy. Again, under the Volunteer Act a Volunteer is exempt from the Ballot for the Militia, although he is allowed to leave the corps to which he belongs after a fortnight's notice. We do not propose to continue that exemption. There is a clause in the Bill which will enable the Volunteer's contract to be made for a longer period, and if the Ballot ever takes place at all those only will be exempted from it who have entered into a longer and more satisfactory engagement. I have, therefore, only to say, in conclusion, that if these arrangements are carried out, all the forces being under one command, and that command being exercised in every division by the general officer commanding, there will be under him colonels and lieutenant-colonels in charge of the auxiliary forces, and lieutenant-colonels of the Royal Artillery, especially for the Militia and Volunteer Artillery; the recruiting and training centres will be so managed that the regiments will have local names, and recruit in their own localities; and the Militia recruits will be trained with those of the Regular Army; and the adjutants and permanent Staff of the Militia will be under the control of high military officers.

I may now, perhaps, repeat to the Committee the forces to which we should have to look for the defence of the country if the proposals I have made were carried out, and all the branches of the service raised to a high standard of efficiency. There would be—field and horse artillery, 8,473; garrison artillery, 7,419; depôt brigade and riding establishment, 2,852; Militia artillery, 15,854; and Volunteer artillery, 34,005, making a total of 68,603 artillerymen. There would be 12,952 cavalry and 14,000 yeomanry, amounting in all to 26,952. The engineers would number 3,949, and the Volunteers 6,280—in all, 10,229. Of infantry regulars there would be 69,181; of Militia, 123,146; total, 192,327; and of Volunteers, 130,386, making a total under that head of 322,713, to which must be added departmental corps 3,282, giving a grand total of 431,779; with the First and Second Class Army Reserve, 470,779. This force will be raised by voluntary enlistment, and may, by the Ballot, be still further increased in case of emergency. I have only to say besides that there is a question which I have before brought before the attention of the House—I mean the question of billeting, which is one of considerable interest. We do not know whether it is likely that in many counties or localities use will be made of such a provision—I have been told that in some cases it is likely, but on that I will offer no opinion; but we propose to give to any locality or localities the power to borrow money from the Treasury, at a reasonable rate of interest, and to take powers for the Secretary of State for War for pledging to the locality during the currency of the loan the annual sum voted by Parliament for the billeting of the regiments. We are on the best possible understanding at present with the railway companies; but I have thought it right to insert a clause which in case of emergency will enable the State to possess itself of the railways in the same way that it used to have power to possess itself of the telegraphs, so that the whole communications of the country might at once, in case of emergency, be made use of for military purposes. These are the principal features of the Bill which I shall have the honour to introduce.

A few words on one or two other points, and I have done. Some time ago I applied to my right hon. Friend at the head of the Government to authorize me to say that the patronage of the Post Office, which has a great number of out-door employments suitable for pensioners and persons connected with the Army Reserve, might be used for the purpose of giving employment to such persons. I am authorized to say that, so far as is consistent with good service, it is intended to act upon the suggestion I made to my right hon. Friend.

The year just passed has seen many changes both at home and abroad. Her Majesty's Government has introduced the 35-ton gun, which is, I believe, the most powerful weapon known in the world; we have altered the field artillery and introduced the 16-pounder gun, which is of its kind the most powerful weapon known; and by changing the Snider for the Martini-Henri rifle we have prepared to arm our infantry with the best rifle known. One other incident of the year I think it right to mention. Amid so many great events the expedition which was sent to the Red River Settlement, in consequence of an insurrection in the territory, has been almost entirely lost sight of. It is due to those who took part in that expedition that they should have the credit of it. The expedition consisted of about 420 of the British Army and 750 Canadian Volunteers, acting in harmony together—a very agreeable circumstance. It involved a journey of 600 miles from Lake Superior over forests never hitherto traversed by a military force, and with intervening obstacles of the most serious kind, both by land and water. But all the difficulties were successfully overcome, and the troops, having accomplished their object, returned immediately to Canada, there being a total absence of crime and of sickness, every arrangement having previously been made to meet every difficulty. My hon. Friend the worthy Baronet the Member for Carlisle (Sir Wilfrid Lawson), will rejoice to know that one of the reasons of this happy state of affairs was that spirits formed no part of the daily ration, and no intoxicating liquors were obtainable in that inhospitable country. But if the House will allow me, I should like to read one passage from the report from Sir Garnett Wolseley, who commanded the expedition, under the direction of Sir James Lindsay; and the reason why I wish to read it is this—that we are constantly told that the civil administration would be sure to break down whenever it was tried. But it is due to the right hon. Baronet opposite (Sir John Pakington), who instituted that department, and to myself, and others who took part in promoting it, to state the successful manner in which it overcame the difficulties it had to encounter in this expedition. Colonel Wolseley says—

> "As regards the civil administration I have to remark that the amalgamation of the many civil departments into one, that of the Control, was put upon its first practical trial in the field during this expedition, with the happiest results. I found that having all the civil officers available for any sort of duty connected with administration was a great economy of labour, and enabled the duties to be performed by a much smaller number than could have been done formerly, when, under similar circumstances, it would have been necessary to have had an officer of each department present at every post, and perhaps with each detachment of troops. A vast amount of useless correspondence is saved by the new system, and the administrative labour that must always more or less devolve upon an officer commanding a mixed force in the field is greatly reduced, and his work facilitated thereby, giving him much more time to attend to his important military duties."

And he goes on to pay a high compliment to Mr. Irvine, whom the Surveyor General had selected for this duty. That was the object, as I understood, the late Government had in view in instituting the department—that there should be a saving of useless correspondence, a saving of administrative labour, and that an officer commanding a mixed force in the field should have more time to attend to his important military duties. I think it due to all concerned to mention this expedition, and the success which attended it.

Now, Sir, I think I have concluded—I am conscious how very imperfectly—the arduous task I had undertaken. Her Majesty's Government call upon you, if you adopt their measures, for a great sacrifice; but if you make that sacrifice the objects we have in view are these—we ask you for no increase of the standing Army beyond that which you made at the end of last Session; but we propose to raise the Army Reserve as rapidly and largely as we can by the increased introduction of short service in the Army. We desire to pass as many men through the ranks as can be done having regard to the number of recruits and the time required to make a man an efficient soldier. We propose to increase the Militia, and to improve the organization of the Volunteers; to provide for compulsory service in case of emergency; to abolish purchase; to withdraw from Lords Lieutenant the power they have now in regard to the auxiliary forces; to combine the whole under general officers; to appoint colonels on the Staff in sufficient numbers to this Army; to combine recruiting for the Line with that of the Reserves; to fuse together as we can the Regular and Reserve Forces by appointing officers of the Regular Army to positions in the Reserve, and by giving subalterns in the Militia commissions in the Line. We propose to brigade them together, to find field artillery for all arms, to enable counties to get rid of the inconvenience of billets, to gain command of the railway communication of the country in case of emergency—in short, we propose to unite all the voluntary forces of the country into one defensive army, with power to supplement by compulsion in case of emergency—all to be under the command of the general officers commanding in the districts, subordinate to one Commander-in-Chief, who will act with the approval of the Secretary of State; and, therefore, the whole will be under the direction and supreme control of Her Majesty's responsible Ministers. I earnestly commend to your favourable consideration these proposals. You will at any rate agree that we have not attempted to glide over the surface and propose some mere superficial and partial arrangements. We have done our best to deal with the principles that lie at the bottom of the service, to lay, if you should be pleased to approve of the measures, the firm foundation of a defensive force, which may be a perfect security to the country not merely against danger, but against that which is scarcely less intolerable to the spirit and independence of Englishmen—the perpetually recurring apprehension of danger.

Motion made, and Question proposed,

"That a number of Land Forces, not exceeding 135,047 Men (including an average number of 6,385 to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions), be maintained for the service of the United Kingdom of Great Britain and Ireland, from the 1st day of April 1871 to the 31st day of March 1872, inclusive."—*(Mr. Secretary Cardwell.)*

SIR JOHN PAKINGTON: I am not about to follow the right hon. Gentleman through his long and elaborate statement. Indeed, in the present state of my voice it would be impossible to make myself heard. But I hope the House will not be called upon to pronounce prematurely an opinion on the scheme of the right hon. Gentleman. I must also notice one point in the statement of the right hon. Gentleman where he rather mistook what fell from me. He spoke with some satisfaction as regards the Reserve at this moment compared with what it would be under his plan. I asked him whether he referred to the Militia Reserve, and he said he did. He seemed to suppose that I referred to the Militia Reserve with the intention of disparaging it; but I really had no such intention. I will not enter into a consideration of the subject at present; but will inquire what course the right hon. Gentleman intends to take with regard to the discussion.

MR. CARDWELL replied that he would for the present withdraw the Vote. The Bill would be in the hands of Members in a few days, and they would then be in a better position to consider the scheme.

Motion, by leave, *withdrawn.*

PRINCESS LOUISE.

MARRIAGE PORTION FOR HER ROYAL HIGHNESS.

MR. GLADSTONE, in rising to move the Resolution of which he had given Notice—namely, "That the sum of £30,000 be granted to Her Majesty, for the Marriage Portion of Her Royal Highness Princess Louise Caroline Alberta," said, he would not now trouble the Committee with any observations, as this was part of the plan he announced the other evening, on which occasion he stated everything that was relative to the matter.

Motion made, and Question proposed,

"That the sum of £30,000 be granted to Her Majesty, for the Marriage Portion of Her Royal Highness the Princess Louise Caroline Alberta." —(*Mr. Gladstone.*)

MR. P. A. TAYLOR said, he rose with reluctance—a reluctance, however, not proceeding from any doubt as to the propriety of the course he was about to pursue, nor from much fear at being in a minority, but because he felt that the position he took up would, without some explanation, be liable to misconstruction. Those who opposed the Vote did not desire to express disapproval of or to receive ungraciously the special act of the Queen in relation to the question at issue. So far as he had any communication with those large portions of the community out-of-doors who objected to the Grant, he had to say that the opposition did not arise from any want of sympathy with, or respect for, the course which Her Majesty had taken with reference to an alliance between a daughter of the Sovereign and a subject. The opponents of the Grant rather regarded that as a boon to the people of this country, and as a tendency towards the views and principles of the day, which were held out-of-doors; but they not the less felt that the boon lost all its grace if made the subject of barter and contract; and at a large meeting at Leicester a speech was made by a working man, who said that he was filled with admiration when he reflected on the fact that the Princess Louise had departed from the custom which had prevailed of allying the Royal Princesses to foreign

Princes. This was not a question of party politics, nor even of principles of government, for the professed admirers of monarchical institutions would admit that it was not wise to overweight them by unnecessary and extravagant expenditure; while others with different views would give their voice in favour of the Chief Magistrate of the country being maintained in a manner and position adequate to the dignity of the country. He regretted that the right hon. Gentleman at the head of the Government persisted in making this Motion after the manifestations which had been made of the opinions of large masses out-of-doors in disapproval of it. ["Oh, oh!"] There was no use in believing in delusions; there was a very bitter feeling out-of-doors on the subject; and he should have thought that the Government would have seen that the whole grace and decorum of such a proceeding as this depended on the spontaneous action in its favour of all classes of the community. ["Divide!"] It might be that the House would hear him, as the unworthy representative of the feeling of the nation, of some hundreds of thousands out-of-doors. He felt that the House of Commons had a perfect right to discuss the question in all its bearings. It had been hinted that there was a breach of faith in discussing this matter at all, because it was said, at the commencement of the reign the Crown Lands were given up to Parliament, and an equivalent was provided in the shape of the Civil List. He believed that was an inaccurate and unconstitutional statement of the fact; and he maintained there was no compact, contract, or bargain between Parliament and the Crown, except that the former would give to the Crown that which was due to its dignity and to the dignity of the nation. The right hon. Gentleman the other day carried his argument further than it could be carried, when he declared that the Crown had as an irrefragable right over the Crown Lands of the country as any private individual had over his own private property, a statement which would have been more correct if applied to the days of the Stuarts than to our own; but Sir George C. Lewis, on the occasion of the marriage of the Princess Royal, declared that it had ever been deemed a matter of policy to strip the Crown of all hereditary property, and to make it dependent during life on Parliament. The House was told, also, of the enormous sum which might be realized by building in Hyde Park and the other Parks; but he would remind the right hon. Gentleman that a former Sovereign, in answer to an inquiry as to how much it would cost to enclose St. James's Park, was told that it would cost two Crowns. A right hon. Gentleman (Mr. Forster) had said that dowries for the Royal family were part of the arrangement under which the Civil List was granted. What was the date of that arrangement, and what were the particulars of it? Why was the Committee discussing this question if such an arrangement existed? The fact was notorious that no arrangement of the kind did exist, and that such dowries had always been the subject of Acts of Parliament. There was a prevalent feeling amongst large classes of the people of this country that the expenses of our monarchical establishments were far too heavy, and they thought that a fair proportion of the Supplementary Grants continually being asked for on behalf of the Crown should come out of the Civil List. In that opinion he coincided. He found that, in 1869, the expenses of the Monarchy, including the Civil List, the Duchy of Lancaster, and other payments amounted to £456,000, and adding various Grants to other Members of the Royal Family, the amount was £637,000, not including the sums paid by way of dowry. It was replied that the sum received by former Monarchs in this country was higher than that received by the Queen. Hon. Members, however, must remember that the money formerly paid to the Crown was not so purely applicable to the personal demands as it now was; Queen Anne having devoted considerable sums towards the support of the war, the building of Blenheim, and other purposes, while George I. gave £100,000 towards the support of his heir. Then it was said that the income of some Continental Sovereigns was larger than our own. He should decline to draw any such comparisons; but if the Queen's income must be compared with that of any other Sovereign, it should be compared with the income of the Ruler of the great nation across the Atlantic, sprung from the same race as ourselves, and then the difference between £600,000 and £5,000 a year was rather striking. Under ordinary circumstances he should not think it right suddenly to make a change, without any previous warning, in a practice on the faith of the continuance of which arrangements might possibly have been made. But there were peculiar circumstances in this case. Hereafter the rule could not be pleaded. Any future case must be decided upon its own merits, and the plea that a change of practice was unexpected would no longer be a valid one. He was of opinion that Her Majesty did not derive her Civil List as occupying the Throne by divine right; but by the much higher title of being the popular and respected Queen of a great and free people. In like manner the children of Her Majesty, who were endowed by the State, were not endowed as relations of Her Majesty; but as part of our general monarchical scheme. They had not a free life, and they were, to a certain extent, the servants of the State. The Princess Louise, through her good fortune and the good sense and wisdom of her Royal Mother, declared her intention of breaking through the charmed circle and living her own individual life. She had insisted on her right to act as the humblest woman in her service was entitled to do—namely, to choose her own husband. In so acting the Princess and her Royal Mother had earned additional respect and affection from the people. But such ties were too sacred to be mixed up with considerations of a more sordid character. The Princess had taken off her fetters, and there was nothing now for the nation to gild. Nothing was further from his wish than to hurt the feelings of any of the distinguished persons most immediately interested. In his opinion the time would come, and that not very distantly, when no one would more regret than these distinguished persons themselves that the Ministry of the day had forced this Vote upon a people who, as far as large masses of the poorer ratepayers were concerned, would give the money very reluctantly.

MR. DISRAELI: I regret that the hon. Gentleman made the speech that he has made, because I think he was arguing the whole time against his own feelings, and his reasonings led him to a conclusion exactly the opposite to that with which he terminated. I am not going to compare the relative position of our own Sovereign with that of the Sovereign of any other

State; but I cannot help noticing one remark the hon. Gentleman made—he said it was not with Kings or Emperors he wished to compare the position of Her Majesty, but that he would rather cross the Atlantic and make a comparison of Her Majesty's position with that of the Sovereign of the United States. I do not think that we ought really on this question to go into a policy of pounds, shillings, and pence; but if these matters are brought under our consideration, it is hardly possible to leave them quite unnoticed. If we cross the Atlantic we should find that the Sovereign of the United States—the Sovereign people, is paid through its representatives in both Houses of Parliament an annual salary far exceeding that of the solitary Sovereign of this country. I think the hon. Gentleman will find, if he goes into the question more deeply than probably this discussion is an opportunity for, that the expense of government in the United States—taking the word government in its large and real sense—is one of a very different character from that which he conveyed to the House just now. This is really a simple case if we confine ourselves to that which is fairly before us. I thought the right hon. Gentlemen at the head of the Government, the other evening, placed this subject before us in a complete and unanswerable manner. I was a Member of the House when the Civil List was passed. I have more than once expressed my disapproval of the principle on which the Civil List was founded. It was founded upon an old traditional feeling in this country that we ought to guard against the Crown being in possession of property to an amount that might prove dangerous to the liberties of Englishmen. Now, when we all know that the income of the Sovereign may probably be equalled by more than one of her subjects—when one individual died a few weeks ago, not amongst the most elevated class of society, whose fortune, probably, was quite equal to that which the Crown possesses in this country, it is too absurd for us, I think, any longer to legislate upon these old political superstitions. In my opinion, it would have been much better originally if the Government of Lord Melbourne, when this settlement was fixed upon, had proposed that the Crown estates should be entrusted to the Sovereign. They were sufficient for the personal comfort and dignity of the Crown, and they might have been enjoyed by the Crown with those powers and conditions which apply to all other estates in the country, and which would have allowed the younger children to be amply supported. And as for that public pageantry of the Crown, in which the nation is more interested than the individual who wears the Crown—certainly as much interested, and which I myself highly and deeply value, and which I wish to see maintained in a manner becoming the nation of a famous people like the people of England—that might have been the subject of a Vote in this House—not of an annual Vote, which might have been inconvenient; but every ten years we might have fixed the supplemental public expenditure of the Crown for those purposes. Ten years would have allowed us to consider any great changes which might have been produced by economical circumstances, such, for example, as the discoveries of gold and their effect upon prices, or other circumstances of that kind; and then appeals like the present need never have been made, and these misrepresentations of the position of the Crown would never have circulated in the country. However, we have to deal with the circumstances before the House; and, certainly, the right hon. Gentleman the other night was perfectly justified in saying that the title of the Sovereign of this country to the Crown estate is just as good as that of the Duke of Buccleuch or the Duke of Bedford to their estates. It is an absolute estate, enjoyed by a family, and there can be no question legally that the position of the right hon. Gentleman was perfectly sound. But having arrived at the position in which we are placed, what the House has to do is to act according to the spirit of the agreement that was entered into with Her Majesty in 1837, and to support the Crown in its becoming comfort and dignity, and provide, as it was thoroughly understood at the time we ought to provide, in every becoming manner for those members of the family of the Royal House with respect to whom Her Majesty appeals to us. The right hon. Gentleman the other night and the hon. Gentleman to-night have referred to a remarkable feature of the case which is now before us, and I was quite surprised that the hon. Gentleman just now, evidently against his own feelings should have founded his principal argument against the proposition of Her Majesty's Government upon this very circumstance which I consider both novel and interesting. It must have been clear for a considerable time to anyone who gives any attention to these matters that a great change was inevitable in the domestic relations between the Crown and its subjects. For a considerable period the area out of which consorts for members of the Royal Family could be selected has been artifically diminished. By the Protestant Constitution of the country no Prince of the Latin race could intermarry with one of our Royal House. It was quite clear when the revolution commenced in Germany, and the mediatizing of so many reigning Houses of that country occurred—when many of the reigning Houses of Germany who professed the Protestant faith disappeared—that a considerable change was at hand. To me, under these circumstances, the fact of a Princess of our Royal House marrying one of Her Majesty's subjects is really as wise as it is romantic. That the hon. Gentleman, who professes to be a great propagator of democratic principles, should make such a circumstance the groundwork of an argument against the proposition of Her Majesty's Government, appears to me surprising. I confess I have another reason in support of this proposition, totally irrespective of that feeling of loyalty which I am sure is shared by hon. Members on both sides of the House, and even by the hon. Gentleman who has just addressed us. I confess I feel some satisfaction—even I will say exultation—that for the first time a Princess of the Royal House of England is to be married to a Member of the House of Commons. I have such affection for this House that I confess I am not insensible to this honour. Our brother Member certainly has not been very long among us; but I believe I may say, without using any words but those of truth, he has gained our sympathies by his intelligence and by his breeding. The House of Commons will, I think, seize a very unfavourable opportunity if this were the first occasion on which it could successfully oppose such a Grant as that which the right hon. Gentleman has offered to our consideration.

SIR ROBERT PEEL: I dare say the House is anxious for a Division; but I am not one of those who think this question should be treated lightly, because we cannot conceal from ourselves that, rightly or wrongly, this proposed alliance has created a good deal of feeling in the country. Now, I do not agree altogether with what has fallen from the hon. Gentleman below me (Mr. P. A. Taylor), but neither can I agree with what has just fallen from the right hon. Gentleman opposite (Mr. Disraeli), because it is at direct issue with the statement made the other night by the right hon. Gentleman at the head of the Government. The right hon. Gentleman says he was in the House of Commons in 1837, when the Civil List was passed, and if he had had his will he would have had the dowries of the Princesses arranged beforehand. But the right hon. Gentleman at the head of the Government said, the other night, that if the sums of money to be allotted to the children of the Sovereign were granted beforehand, it would be impossible for the Sovereign to accept those terms, and he made use of the expression that it would lay the Royal Family open to idle vituperation. I wish to state that in what I am about to say I yield to nobody in this House in the expression of my sentiments of sincere respect and loyal attachment to the person of the Sovereign. I think that the example which the Sovereign has set in all the domestic and private relations of her life has had a reflex upon all classes of the community, and has endeared Her Majesty in the heartfelt and affectionate attachment of all her subjects. But I must say that the principal object that I have in rising is for the purpose of referring to the statement made the other night by the right hon. Gentleman at the head of the Government. The statement made by the right hon. Gentleman the other night was, to my mind, one of the most injudicious that I ever recollect to have fallen from the right hon. Gentleman. I do not say he intended to mislead the House. I should not be justified in saying so. But I can say this — I will show to the Committee that there were statements made in that speech which are not justified by the facts of the case. I am sorry to trouble the House; but I think this is an occasion of some importance. The other night the right hon. Gentleman said the Queen had a large income, but it was predestined for special purposes. He said savings were out of the question. What struck me the most in the right hon. Gentleman's speech was that the marriage of the Princess with a Member of this House was about to take place—with the son of a Member of the Government, and by the advice of Her Majesty's Government. The statement made by the right hon. Member for Bradford (Mr. W. E. Forster), that if the House of Commons should not grant the dowry it would be like fining one of the children of the Sovereign for marrying a Scotchman, was a most strained interpretation of the matter. The Prime Minister said that no doubt the income of the Sovereign was a very large one, but that it was given to support the dignity and representation of the Crown: I have no objection to that. The Grant that we give to the Sovereign is for the representation of the Crown; and I am one of those who share the opinion very common in this country, that it is to be regretted that the large sum thus given is not devoted to the representation of the Crown, and for many years has not been devoted to that purpose. I do not speak now of the money not being spent for the benefit of the people of this country; but I do say that when Sovereigns, Princes, and foreigners of distinction visit this country, it is painful to Englishmen to find that the enormous income which we grant to the Sovereign for the representation of the State is not devoted in the way contemplated by Parliament. Now, recollect, I by no means wish to stint the Sovereign. I would wish to see an allowance made on the most liberal scale towards the Royal Family. I am one of those who would vote, if necessary, for doubling the income of the Prince of Wales. I think the income of the Prince of Wales, considering all he has to do for the representation of the country, is too small. He lives amongst us and does what he can; but, of course, on a far less sum than £385,000. I state that to show that I am by no means desirous of stinting the means for the representation of the Crown. The Prime Minister said the other night that by the Civil List of 1837 Her Majesty was granted £385,000 a year, and that it was an economical arrangement; and then he added—I will not say wishing to deceive thisHouse, but certainly not in a manner that one would have expected from him—"Look at what was done for William IV." Well, I have looked, and seen that the Civil List of William IV. was proposed by Lord Althorp in 1831, and it was this—The whole amount, deducting what was given to the Queen of William IV. was £324,700 as against £385,000 given to Her present Majesty. It is perfectly true that if you add £50,000 a year granted to the Queen of William IV. you do bring up the amount very nearly to the sum stated by the right hon. Gentleman; but he included this grant of £50,000 a year when he said that the Civil List voted to William IV. was £435,000. In reality, so far from there being any economy in what was done in 1837, there was a great increase on what had been granted to William IV., exclusive of the £50,000 a year given to his Queen. More than that, when Lord Althorp stated in the House of Commons in 1831 that, having revised the Civil List of George IV., the Government proposed that the sum of £435,000 a year, including £50,000 for the Queen of William IV. should be granted to the Sovereign, he added that he understood the revenues of the Duchy of Lancaster would be given up to the State for their entire management the same as the revenues of the other Crown Lands. Lord Althorp, therefore, and the country fully expected in 1831 that the revenues of the Duchy of Lancaster would be made over to the State. But that has never been done; and, therefore, in addition to the £385,000 a year granted to the present Sovereign, she has the revenues of the Duchy of Lancaster also, and I do not suppose there is in this country such gross mismanagement as is to be found in the case of the revenues of that Duchy. If Lord Althorp's plan had been adopted we should not have had that complaint to make. Will the House believe that, while the revenues of the Duchy amount to £50,000 a year, only about £25,000 is paid to Her Majesty, while the other £25,000 is expended in the grossest mismanagement—I would even say corruption. These are facts. Would it not be better, then, that the policy of Lord Althorp had been adopted, instead of giving to the Sovereign a Civil List of £385,000, with all the revenues of the Duchy of Lancaster? I do not wish to trespass on the time of the House now; but I am bound to say that, looking at the statement of

Lord Althorp and at the revenues which we give to the Crown—I may stand alone here, but I know there are many in the county in which I reside who think as I do. This very day a gentleman of position from that county told me that there were tens of thousands among the poorer classes in Staffordshire and Lancashire who will disapprove what is now being done. As long as a child or daughter of the Sovereign marries into a Royal or Princely House, I think it is quite right and natural for the House of Commons to give an adequate allowance for the representation and dignity of Royalty. But I hold a very strong opinion that when a child of the Sovereign chooses to lay aside and renounce altogether the Royal position, and elects to marry a subject, the case is wholly different. ["No, no!"] No doubt there is a great difference of opinion on the matter; but, in my judgment, that circumstance entirely changes the point at issue. In that case the Sovereign should be left to make an adequate allowance. But be that as it may, I will conclude by saying I think the marriage an impolitic one. ["No, no!"] As a loyal subject of the Queen, I think the marriage an impolitic one. I do not look at it in the light of the hon. Member for Leicester (Mr. P. A. Taylor); but that the Royal position should be maintained distinct and separate as hitherto. Personally, I wish the Royal Princess all happiness in her marriage. I am sure the country will agree with me in that; but I do think the marriage is an impolitic one, and I, for one, would have infinitely preferred to have seen the daughter of our Most Gracious Sovereign marry into either a Royal or a Princely House, rather than accept the hand of a subject, the son of a Member of Her Majesty's Government, upon the advice of Her Majesty's Government.

MR. GOLDNEY, *amid cries of* "Divide!" said, the objection entertained in the country to the dowry arose from its not being known how the £385,000 was made up, and that Her Majesty had nothing like that sum at her actual disposal. To refuse to vote the proposed sum would be a breach of faith. When Her Majesty ascended the Throne it was distinctly understood that by her accepting the Civil List all these contingencies should be met by Votes of the House.

MR. GLADSTONE: I will endeavour to keep strict faith with the Committee, and not in any way to re-argue the question. A number of references have been made by the hon. Member for Leicester (Mr. P. A. Taylor) and the right hon. Gentleman the Member for Tamworth (Sir Robert Peel), to my speech the other evening, and I feel it is absolutely due to the Committee that I should state that I am not able to recognize the arguments they attribute to me as the arguments I used the other evening. I will not, however, go through them in detail; but I will point out one as an example. The right hon. Baronet considers that I stated that the Princess Louise was about to marry the Marquess of Lorne by the advice of Her Majesty's Government. What I stated was, that, upon the important question of the deviation from what had recently been the established rule, Her Majesty had taken the advice of her confidential Advisers, and I may as well state that she did so about 18 months ago, and long anterior to the period when the present arrangement was contemplated. The right hon. Gentleman is entirely in error in supposing that I contended that there was a real reduction in the Civil List at the commencement of the present reign as compared with the commencement of the reign of William IV. I pointed to the reduction of the amount in order to found upon it a corroboration of my argument that morally Parliament was always charged with the obligation of providing for any new exigency growing out of the state of the Royal family. I will only say with regard to the present Motion that I cannot but regret the opposition that has been made to it; and, secondly, that it should have been made at what appears to me to be the wrong time. It is at the first stage of a Vote of this kind that, with the greatest propriety—I should say the smallest departure from it—that opposition should be offered; but I think it is for my hon. Friend and those who intend to vote with him to consider in what position this House will find itself on the question of a personal grant of money if, after hearing the proposal on a former night, they came to an unanimous vote in its favour, they should now disregard the force of the pledge in that unanimous vote, and hark back on the first proceeding.

Question put.

The Committee *divided*:—Ayes 350; Noe 1: Majority 349.

House *resumed.*

Resolution to be reported *To-morrow.*

Committee to sit again *To-morrow.*

UNIVERSITY TESTS BILL.—[BILL 6.]

(*Mr. Dodson, Mr. Gladstone, Mr. Solicitor General, Mr. Goschen.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Gladstone.*)

MR. GATHORNE HARDY said: I wish briefly to state the course I intend to pursue with respect to this Bill, and I do so under very peculiar circumstances. My two right hon. Friends the Member for Cambridge University (Mr. S. Walpole) and the Member for Oxford University (Mr. Mowbray) are absent from the House on account of severe domestic afflictions. This might, perhaps, be considered a sufficient reason for postponing the consideration of the measure; but I do not ask for an adjournment. I am, of course, aware that a Bill identical with the present passed through this House last Session; and after the discussions which then ensued, and in which I expressed my opinions on the subject, I should not think of again urging the arguments I then adduced. At the same time, so insuperable are my objections to the Bill as it stands, without the religious safeguards which I hope will be introduced in "another place," that I shall now move its rejection, if only for the purpose of recording my protest against it. I beg to move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Gathorne Hardy.*)

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

Mr. Gladstone

JURIES ACT (1870) AMENDMENT BILL.

(*Mr. Attorney General, Mr. Solicitor General.*)

[BILL 34.] SECOND READING.

Order for Second Reading read.

THE ATTORNEY-GENERAL, in moving that the Bill be now read a second time, said, its object was the repeal of one section of an Act passed last year to regulate the whole subject of constituting and summoning juries. He must explain that towards the close of last Session he was not aware the Bill was about to be pressed to the third reading, as he believed it was understood that it should be allowed to stand over for reconsideration this year. Indeed, he did not know the Bill had passed till he read it in the statute book. The clause which he now proposed to repeal enacted that juries should be paid, and paid not by the whole body of suitors, but by means of a tax imposed solely on those who entered causes for trial. No machinery was provided by the Act for carrying it into execution, that being left to the Judges, who had accordingly issued the best rules and regulations they could devise. These, however, had been extremely onerous to the suitors. The rules required that every suitor who desired to have his cause tried by a common jury should pay £3 on entering his cause; and that for a special jury £12 12*s.* should be paid. Now, it frequently happened that a cause was amicably settled after it had been entered, so that no jury was required at all, but nevertheless the money could not be returned to the suitor. He was told that in the country the Act could not be worked at all. A Judge of considerable eminence had written to him in the following terms:—"I know that the existing Act amounts to a denial of justice to poor suitors. I know that on circuit it is impossible to carry it out. It ought to be repealed in the shortest possible time." Other Judges and eminent practitioners had expressed a similar opinion. For his own part, he was by no means satisfied it was a good thing to pay jurors, as the effect might be to create a professional class of jurors. He would not argue that point now; but, assuming that jurors ought to be paid, he was disposed to think they should be paid, and not by the litigants. At present, however, it was sufficient for him to state that there would be a dead-lock at the approaching assizes if the clause he had referred to was not repealed, and, as they had already commenced on the Northern Circuit, there was no time to be lost. By the present Bill, therefore, he proposed to repeal that clause at once; and later in the Session, if the House confirmed the principle involved in the clause, another measure might be devised for carrying it into effect. Considering the urgency of the case, he hoped the House would assent at once to the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

MR. LOPES thanked the hon. and learned Gentleman for the prompt attention he had given to the matter, and said that the effect of the Act, combined with the rules of the Judges, was that officers of the Superior Courts found themselves bankrupt. Assuming that at an assizes there were two common jury causes, which were tried on the first day, and one special jury cause, which was tried on the second day, the receipts would be £18 12*s*., and the payments authorized by the Act would amount to £49 16*s*.; and this proportion of receipts to payments would probably hold good with any number of causes. A learned Judge, who had just gone to the Welsh Circuit, had said he should be obliged to tell the jurors that, although the Act said they were to be paid, there were no funds out of which they could be paid. He hoped that the matter would not rest where it was, but that the Attorney-General would bring in a comprehensive measure, and that he would not be satisfied with piecemeal legislation, but would introduce a Bill founded on rational and acknowledged principles applicable to the case.

MR. ASSHETON CROSS said, it was desirable that the Bill should be passed at once, and he trusted that it would be carried through all the stages as fast as possible. He thought the Law Officers of the Crown were hardly justified in pleading that the Act of last Session was passed without their knowledge. The Select Committee recommended that the whole matter should be remitted to this Session, and the history of the Act of last Session, he believed, was that it was promoted by members of the legal profession in the City of London and Westminster, and that, practically, hon. Members, having the bit put in their mouths, ran away with it.

MR. D. DALRYMPLE said, he thought it was competent for the last speaker, as a member of the Select Committee, to have objected to the passing of the measure of last Session. He was not sure that the public were ungrateful for it, because it had largely diminished the number of causes that went to trial. The principle of the payment of jurors, which he approved, was already affirmed by existing practice, as well as by the recommendation of the Select Committee.

MR. G. B. GREGORY said, that provision ought to be made for the proper remuneration of summoning officers.

MR. ALDERMAN LUSK said, he was under the impression that the Act of last Session was considered a good one, for all agreed that it was necessary to pay jurymen. He thought the measure a beneficial one, because it would tend to discourage litigation. He would not, however, oppose this Bill if the Attorney General would promise to consider, during the present Session, the matter with a view to the payment of jurors.

MR. WHEELHOUSE supported the Bill, but thought something should be done not only for the payment of jurors, but for the consideration of the whole question in a comprehensive form.

MR. HENLEY believed the whole community would be glad that the hon. and learned Attorney General had moved in this matter. As the assizes were close at hand, it was very desirable that the Bill should pass as soon as possible.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

ARMY ORGANIZATION BILL.

On Motion of Mr. Secretary CARDWELL, Bill for the better regulation of the Regular and Auxiliary Land Forces of the Crown, and for other purposes relating thereto, *ordered* to be brought in by Mr. Secretary CARDWELL, Sir HENRY KNIGHT STORKS, Captain VIVIAN, and the JUDGE ADVOCATE.

Bill *presented,* and read the first time. [Bill 39.]

ADULTERATION OF FOOD, &C. BILL.

On Motion of Mr. MUNTZ, Bill to amend the Law for the prevention of Adulteration of Food and Drink and of Drugs, *ordered* to be brought in by Mr. MUNTZ, Mr. WHITWELL, and Mr. DIXON.

Bill *presented,* and read the first time. [Bill 41.]

METROPOLIS WATER BILL.

On Motion of Mr. Shaw Lefevre, Bill to amend "The Metropolis Water Act, 1852," and to make further provision for the due supply of Water to the Metropolis, and certain places in the neighbourhood thereof, *ordered* to be brought in by Mr. Shaw Lefevre and Mr. Secretary Bruce.

Bill *presented*, and read the first time. [Bill 40.]

TRIBUNALS OF COMMERCE BILL.

On Motion of Mr. Whitwell, Bill for establishing Tribunals of Commerce, *ordered* to be brought in by Mr. Whitwell, Lord Frederick Cavendish, and Mr. Chadwick.

Bill *presented*, and read the first time. [Bill 42.]

PUBLIC PETITIONS.

Select Committee *appointed*, "to whom shall be referred all Petitions presented to the House, with the exception of such as relate to Private Bills; and that such Committee do classify and prepare abstracts of the same, in such form and manner as shall appear to them best suited to convey to the House all requisite information respecting their contents, and do report the same from time to time to the House; and that such Reports do in all cases set forth the number of signatures to each Petition:—And that such Committee have power to direct the printing *in extenso* of such Petitions, or of such parts of Petitions, as shall appear to require it:—And that such Committee have power to report their opinion and observations thereupon to the House:"—Mr. Charles Forster, Mr. Bonham-Carter, Major Gavin, Mr. Hastings Russell, Sir David Salomons, Mr. Owen Stanley, Mr. Kinnaird, Mr. M'Lagan, Earl Percy, Mr. Dimsdale, The O'Conor Don, Mr. William Ormsby Gore, Mr. Reginald Talbot, Lord Garlies, and Mr. Guest:—Three to be the quorum.—(*Mr. Charles Forster.*)

LOCAL LEGISLATION (IRELAND) BILL.

On Motion of Mr. M'Mahon, Bill to facilitate the obtaining of powers for legislation on Public Local Matters in Ireland, *ordered* to be brought in by Mr. M'Mahon, Mr. Montagu Chambers, and Mr. Matthews.

Bill *presented*, and read the first time. [Bill 43.]

House adjourned at a quarter before Ten o'clock.

HOUSE OF LORDS,

Friday, 17*th February*, 1871.

MINUTES.] — *Sat First in Parliament* — The Marquess of Bute, after the death of his father.
Public Bill — *First Reading*—Pauper Inmates Discharge and Regulation * (16).

BANKRUPTCY LAW (IRELAND).

QUESTION.

The Marquess of CLANRICARDE asked, Whether Her Majesty's Government intend in the present Session to amend the laws in Ireland relating to Bankruptcy and to Imprisonment for Debt, and to bring them into conformity with the laws of England? The noble Marquess said, it was highly desirable that the application of the law of bankruptcy to non-traders, which had been in operation some years in England, and was an unquestionable improvement, should be at once extended to Ireland, and there was no reason for postponing this till the entire English law on the subject had had a longer trial.

Lord DUFFERIN replied that the Government were fully alive to the necessity of legislation in the direction indicated by the noble Marquess. They intended in the course of the Session to introduce a Bill amending the Irish bankruptcy law, and assimilating the law relating to imprisonment for debt to that of England.

PAUPER INMATES DISCHARGE AND REGULATION BILL [H.L.]

A Bill to regulate and control the discharge of Paupers from Workhouses and Wards provided for the Casual Poor—Was *presented* by The Earl of Kimberley; read 1ª. (No. 16.)

House adjourned at half past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 17*th February*, 1871.

MINUTES.]—Supply—*considered in Committee Resolution* [February 16] *reported*.
Public Bills — *Ordered* — Stamp Act (1870) Amendment *.
Ordered—First Reading—Fires * [44].
Committee—Report—Princess Louise's Annuity * [24]; Provisional Order Bills (Committees) * [12].
Committee—Report—Third Reading—Juries Act (1870) Amendment * [34], and *passed*.

INDIAN FINANCE.—OBSERVATIONS.

Mr. GRANT DUFF: Sir, it may tend to expedite the despatch of business to-night if, with the indulgence of the House, I now state the intention of the Government with regard to a matter in which some hon. Gentlemen take much interest, and about which a great many

Questions have been addressed to me within the last week. I have, then, to announce that Her Majesty's Government intends, on the earliest possible day after determining the most convenient mode of proceeding, to move for the appointment of a Committee upon Indian Finance, in the full belief that the appointment of such a Committee will not only give satisfaction to some hon. Members on both sides of the House, who are very desirous for an inquiry into our financial affairs, but also tend to dissipate sundry apprehensions and misapprehensions which have arisen with regard to them.

COLONEL SYKES said, he wished to know whether the inquiry of the Committee would be extended to the administration of Indian affairs generally?

MR. GRANT DUFF said, everything properly coming under Finance.

IRELAND—GRAND JURY LAWS.

QUESTION.

THE O'CONOR DON said, he would beg to ask the Chief Secretary for Ireland, Whether he intends to introduce during the present Session a Bill for the amendment of the Grand Jury Laws of Ireland?

THE MARQUESS OF HARTINGTON said, in reply, that a Bill, founded on the Report of a Select Committee which sat upon this subject a year or two ago, was in a forward state, and would be ready to lay before the House shortly; but as it was the intention of the Government to deal with matters of a similar kind relating to England, during the present Session—matters relating to local government and taxation, it would be probably most convenient if he waited until that measure was introduced, that Irish Members might consider the desirability of incorporating any of its provisions in the Irish Bill.

TRANSFER OF LAND.—QUESTION.

MR. PIM said, he would beg to ask the First Lord of the Treasury, Whether it is the intention of Her Majesty's Government during this Session of Parliament to introduce any Bill to facilitate the Transfer of Land; and, whether such Bill when introduced will extend to Ireland and Scotland, or whether there will be separate legislation for each of the three Countries?

MR. GLADSTONE, in reply, said, the Government was ready to introduce the measure as soon as there was a fair prospect of proceeding with it. It would be premature, however, before the introduction of the Bill to inquire whether its provisions should be extended beyond England.

UNITED STATES—THE JOINT COMMISSION—CLAIMS OF BRITISH SUBJECTS.

QUESTION.

MR. GRIEVE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the Joint Commission which is to sit at Washington will have under consideration the claims of British subjects who had property destroyed at Richmond in consequence of General Breckenridge, previous to evacuating the town, having fired the warehouses and destroyed large quantities of tobacco and other merchandise?

VISCOUNT ENFIELD replied, that the Commissioners had been appointed to discuss in a friendly spirit the various points of difference which had arisen between the United States and subjects of this country. They were not empowered to settle the differences themselves, but would say in what way a settlement could be arrived at, either by arbitration or otherwise; and should a mixed Commission be appointed, in all probability the claims of British subjects against the United States would be referred to such Commission.

FRANCE AND GERMANY—ENTRY OF THE PRUSSIAN ARMY INTO PARIS.

QUESTION.

MR. BAILLIE COCHRANE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether any efforts have been made by Her Majesty's Government to dissuade the Prussian authorities from the triumphal march of the Prussian Army through Paris, as it can only have for its object the humiliation of the French nation, and it may be attended by most calamitous results?

VISCOUNT ENFIELD said, he trusted the hon. Member for the Isle of Wight would not think him discourteous if he stated simply that, as no communication on the subject to which his Question referred had been addressed to Her Majesty's Government, Her Majesty's Government had not thought it proper to take any steps in the matter.

RUSSIA AND PRUSSIA.—QUESTION.

Sir CHARLES DILKE said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether it be true that Her Majesty's Government have received communications from our Foreign Legations relating to a reported Treaty or understanding between Russia and Prussia; and, if so, whether it is their intention to make such communications, or any of them, known to the House?

Viscount ENFIELD said, in reply, that although it was true that at different times rumours had reached Her Majesty's Government with reference to the subject mentioned by the hon. Member, as they had never assumed any official shape, they had not been looked upon by the Foreign Department as official communications.

TRADES UNIONS BILL.—QUESTION.

Mr. STAVELEY HILL said, he would beg to ask the Secretary of State for the Home Department, Why the Trades Union Bill has been placed in the hands of the editor of a public journal, as appears from an analysis of it published on Thursday, before it has been placed in the hands of Members of this House?

Mr. BRUCE replied, that the hon. and learned Member had assumed as a fact that which was not a fact. No copy of the Bill had been placed in the hands of the editor of a newspaper or any other person; but, inasmuch as he was aware that some slight delay would occur in the issue of the Bill, he had directed that an analysis of it should be sent, not to any one paper, but to all. The Bill, in its complete form, would be circulated to-morrow morning.

FRANCE—ALLEGED PILLAGE BY PRUSSIANS.—QUESTION.

Mr. GOLDSMID said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether the statement that the Prussians have, on non-payment of fines imposed by them on various districts since the armistice was concluded, pillaged those districts, is correct; and whether there is any precedent for such a proceeding?

Viscount ENFIELD said, in reply, that no communication or representation had been made to the Foreign Office with reference to any fines imposed by the Prussians on the French, and he was, therefore, unable to say whether or not the statement to which the hon. Member referred was correct or not. He further asked if there was any precedent for such a proceeding; but he hoped the hon. Gentleman would not think him guilty of an act of discourtesy in saying that not having received any particular information of the statement to which the Question referred he had not thought it right to hunt up any historical precedent on the point.

NAVY—MIDSHIPMEN'S PAY.

QUESTION.

Lord GEORGE HAMILTON said, he wished to ask the Secretary to the Admiralty, If any order has been or is about to be issued by the Admiralty, which will compel the parents or friends of midshipmen to make them an allowance of £50 per annum instead of £40 as heretofore; and, if so, on what ground this increase has been made, and what will occur in the case of those midshipmen whose friends and parents are unable to pay the additional sum now demanded?

Mr. BAXTER said, in reply, that the regulations increasing the annual allowance to be granted by parents to midshipmen were framed by the First Lord and First Naval Lord after most mature deliberation and in consultation with many naval officers. It was found that £40 a year was inadequate for a midshipman to pay his mess bill and other expenses, and the consequence was that a practice of drawing bills sprang up. To check this an increased allowance of £10 was fixed upon, and, in the opinion of the commanding officers generally, it has been attended with beneficial results. The case supposed by the noble Lord in the latter part of his Question had been met by a clause in a circular issued on the 4th of October, 1870, which says that—

> "Should any midshipman or cadet desire to draw less than £50 per annum he is at liberty to do so, provided he obtained the approval of his commanding officer, and can show that all his debts are paid."

INCLOSURE OF COMMONS.

QUESTION.

Sir HENRY SELWIN-IBBETSON said, he wished to ask, Whether, looking to the importance of the measure introduced by the Under Secretary for the Home Department with regard to the Inclosure of Commons, and the fact that it was in the hands of Members only that morning, he will consent to postpone the Motion for a Second Reading until Monday?

MR. SHAW LEFÉVRE said, in reply, that, as the Bill in question was not new, but very similar to one that was before the House the whole of last Session, and, therefore, hon. Members might be presumed to be acquainted with its details, he hoped the second reading might be taken on Monday.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

FINANCES, &c., OF INDIA.

MOTION FOR A SELECT COMMITTEE.

MR. FAWCETT said, the course that had been adopted by the Government placed him in a position somewhat difficult and embarrassing. On the very first day of the present Session, according to a promise which he made at the end of the last, with, he ventured to say, the approval of all hon. Members on either side of the House who took an interest in India, he gave Notice that he would move that evening for a Select Committee to inquire into the Financial and General Administration of the affairs of India. He had made a communication as to what they intended to do, but until that hour he could not obtain the slightest intimation of their intention. But that evening, without any warning, the Under Secretary for India rose in his place, anticipated his Motion, and gave Notice of his intention to move for a Committee to inquire into Indian Finance. He might be told that, under those circumstances, he had got what he wanted, and ought to be satisfied without going on any further. Well, he could assure the House that if he got what he wanted it would be a matter of perfect indifference to him whether the Committee was moved for by his hon. Friend (Mr. Grant Duff) or by himself. All he cared about was not who carried the Motion, but whether it was carried at all. But there was this difference between the Notice of the Under Secretary of State and his own—that whereas his hon. Friend said curtly and briefly that he would move for a Committee of Inquiry into Indian Finance—which might mean simply an inquiry into Indian financial accounts — the Committee, on the other hand, which all hon. Members taking an interest in India desired to see appointed, should inquire not merely into the accounts, but into the general administration of that country. The opinion to that effect was expressed at the close of last Session by hon. Gentlemen on both sides of the House, who possessed great practical knowledge and official experience of India. The Committee, therefore, which he proposed would not be merely a Finance Committee, but would inquire, among other topics, into the present position and future prospects of the revenue and expenditure of India; into the management of the public works department, and the outlay it incurred; into the question of primary and higher education in India; into army organization and expenditure; into the local Governments of India and their Councils; also into the transport service; and, above all, into the home expenditure of India — that was to say, the expenditure of Indian money in this country, which was increasing, and now absorbed more than one-fourth of the whole Indian revenues. That House was trustee for that expenditure to the people of India, and was bound to render a faithful account of its trusteeship. The Prime Minister himself frankly admitted the necessity of such a Committee, when at the end of last Session he laid down the doctrine that it was most important that the various Departments of the State should be periodically revised by Committees of that House; and more particularly in the case of India, because of the little attention the House was able to give to the affairs of that country. The right hon. Member for North Devon (Sir Stafford Northcote) also virtually promised to agree to such a Committee when Secretary of State. Another cogent reason for granting it was this — In the days of the old East India Company, in consequence of the renewal of its charter, the administration of the Company was subjected to periodical revision and investigation; but there had been no Committee on Indian affairs since the House took upon itself the responsibility of the Government of India; and he had reason to know that if the House was unwilling to grant an inquiry into the way in which it had performed that duty it would cause grave discontent among the people of that country. He feared there existed a misapprehension among some members of the Government as to his motive in bringing forward that Motion. They might suppose that he did so as a censure on the present administration of the affairs of India. Nothing, however, could be further from his wish or intention. He believed that Lord Mayo was one of the most popular, most zealous, and hard-working Governors General that India had ever had, and he had no reason to suppose the present Secretary of State for India and his hon. Friend the Under Secretary were in any respect less able Ministers than any of their predecessors. His object in moving for that inquiry was not in the slightest degree to investigate the conduct of Ministers; it was not to be a personal inquiry; its sole and entire object would be to investigate the system they had to administer. He knew that if the Committee was granted many most able witnesses were anxious to give evidence before it, and that all the competent authorities on Indian matters in that House would be ready to serve upon it. The sketch he had given of the scope of its inquiries would convince the House that the investigation must be long and laborious; the sooner, therefore, the Committee got to work the better, and if its appointment were postponed valuable time would be lost. That was his sole reason for bringing on his Motion at the earliest possible period of the Session. He had no wish to anticipate the debate on the Indian Budget fixed for that day week, and he had determined not to mention a single point that could raise a word of controversy. If his hon. Friend the Under Secretary (Mr. Grant Duff) thought it in the least degree an affront to him that that Committee was moved for before he brought forward his Budget, he deeply regretted it; but, whatever his Budget might be, it could not affect the necessity of that inquiry. The Committee would not inquire into the Budget, but into the system of administration, involving great questions of national policy. He was not anxious to oppose the Government more than he found it necessary; if, therefore, they thought they could gain anything for the people of India, or for their own credit or reputation, by postponing that Committee for a fortnight, he was willing, should the House wish him to do so, to withdraw his Motion—but only on the understanding that the Committee proposed by the Government should be moved for on the earliest possible day after the Indian Budget, and that its inquiry should be at least as wide in its scope as the one he had himself indicated to the House. He hoped that his hon. Friend the Under Secretary would withdraw the Notice he had given, and that after that statement—which he trusted was as conciliatory as it possibly could be—his hon. Friend would see that there was no occasion to have another debate on the subject; that, as the feeling of the House was in favour of the Committee, it might just as well be granted at once, and that it should immediately commence an inquiry which, if instituted, would, they might feel sure, give the utmost satisfaction to the people of India. The hon. Member then moved for the appointment of a Select Committee.

Mr. R. N. FOWLER seconded the Motion, and presumed that, after the announcement made that evening by the Under Secretary for India, the hon. Member for Brighton would not press his Motion to a Division. He was interested in three questions—the opium revenue, in regard to which he last Session seconded the Motion of the hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson), the salt duties, and the Hill Tribes. He apprehended that the questions of the opium revenue and the salt duty would come under the head of Indian finance; but he doubted whether the important question of the Hill Tribes of India—on which he knew that some competent gentlemen were anxious to give evidence—would come within the scope of the inquiry if the Committee was appointed in the terms suggested by the Under Secretary of State, because its terms would limit the inquiry to strictly financial subjects; and he thought there was great force in the appeal made to the Government to appoint a Committee embracing as much as possible those Members of the House who took an interest in the affairs of India.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the Financial and General Administration of the affairs of India,"—(*Mr. Fawcett,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

COLONEL SYKES approved the proposal to postpone the appointment of this Committee until after the Indian Budget had been laid before the House; but, at the same time, he hoped that, when appointed, the Committee would have an unlimited range of inquiry. This had been the case with two previous Committees of the House, and the result had been the collection of a most valuable mass of information.

MR. GRANT DUFF said, the last thing which the Government wished to do was to keep a promise to the ear and break it to the hope. If the Government had intended to give a Committee only on Indian accounts they would have said so; but the subject of finance covered a very wide field, and involved questions which, if inquired into fully, would provide more work than could be got through in one or even two Sessions. To inquire into all the subjects alluded to by the hon. Member for Brighton would necessitate not one, but half-a-dozen Committees. A few years ago the simple question of the colonization and settlement of India went through more than one Session; and if the House were to examine not only into all that could be properly said to come under the head of finance, but also into army organization in India, into the questions that might arise out of the public works in India, into the large question of primary education in India, and into the relations of the local governments to the central government, they would go on to Doomsday, and the very object aimed at by the appointment of the Committee would be frustrated. Still longer and more difficult would the inquiry be if they were to go into the extremely interesting, but not immediately pressing, question of the Hill Tribes in India. He was quite sure that all persons in India and at home who understood what questions would be opened by the appointment of a Committee on Finance would be perfectly satisfied with the Committee which Her Majesty's Government proposed to give.

SIR CHARLES WINGFIELD expressed concurrence in the concluding remarks of the Under Secretary of State for India. The question of finance would cover all the ground, and would especially include the difficult and delicate subject of local taxation, which the Government of India was pressing strongly forward at this moment. With regard to the feeling of the people of India, he could confidently say that there was a most earnest desire for an inquiry in the widest sense into the whole financial arrangements of the country. This feeling had been heightened by the financial mismanagement of past years, and the hurried and high-handed way in which an income tax of 3 per cent had been forced upon the country.

MR. FAWCETT said, that in order to meet the views of the Government, he would be content to strike out of his Motion the words "and General," and leave the Committee to deal only with the financial administration of India.

MR. GLADSTONE said, he was very glad to hear the hon. Member for Brighton say he was content to take a Committee on the financial administration of India. In saying that, however, he did not intend to convey the impression that all the other subjects connected with the Indian Government were not matters very proper to be considered when the proper time should come; but to overload the present Committee would be to defeat the object of its appointment. If the question of Indian finance, with all the collateral issues necessarily arising out of it, was not sufficient fully to occupy the attention of the most energetic Committee that ever sat, he did not know what would be. With respect to appointing the Committee, the difference in point of time between Her Majesty's Government and the hon. Member for Brighton was so small he did not apprehend any quarrel; and he now simply wished to appeal to his hon. Friend not to press his Motion at present. His hon. Friend the Under Secretary for India had spoken of his intention to move a Committee so soon as the best method of proceeding had been settled; and, in so doing, he did not mean to imply that this would involve a delay of a fortnight. He had very great expectation that his hon. Friend the Under Secretary for

India would be able to redeem his promise at the commencement of the coming week. Under the circumstances, therefore, he hoped the hon. Member for Brighton would see his way to the withdrawal of his Motion.

Mr. FAWCETT said, after the satisfactory assurance he had just received, he should not persevere with his Motion.

Amendment, by leave, *withdrawn.*

Question again proposed, "That Mr. Speaker do now leave the Chair."

FRANCE AND GERMANY—TERMS OF PEACE.—RESOLUTION.

Mr. AUBERON HERBERT rose to call attention to the Papers relating to the French and German War, and to move a Resolution thereon. The hon. Member said, it was with a feeling of great responsibility he had undertaken the task which was before him. He could have wished that the Motion of which he had given Notice had been in the hands of an hon. Member of greater experience than he possessed, and one whose words would carry far greater weight; for he must confess that, deeply as he felt on this matter, there was something in it rather painful to him, because having carefully read the Papers presented to the House regarding it, he had deeply to regret the tone which pervaded the despatches that had emanated from our Foreign Office during the progress of this long and terrible war. He knew no person in this country who could feel more pain in view of what had passed during the war than his right hon. Friend at the head of the Government; nor could any man feel more desirous than himself that the influence of England should be exerted towards mitigating the sufferings which the war had caused; but the matter was of so great importance, in view of the position which England held in relation to the other European countries, that he should not hesitate to speak freely and openly, and to ask the House to take what he had to say at whatever value might attach to it. The regret which he felt in reading the despatches was occasioned by the perception that the influence of England, which had undoubted weight with other European countries—that the influence of neutral opinion, in fact, had counted for absolutely nothing during the present war. In the course of the war they had seen many things both strange and new. They saw the other day what was called the doctrine of "benevolent neutrality"—a doctrine which did not last long, but was destroyed by a very skilful despatch written by the Foreign Minister of this country, who, in his turn, invented another kind of neutrality, which might be described as a sort of moral neutrality—a variety which he, for one, very much regretted. It seemed to have been the opinion of our Foreign Office that England was not only to preserve neutrality in regard to the sale of arms, the export of horses, or matters of that kind, but she was bound neither to hold nor to express any opinion whatsoever. It seemed, further, that our Foreign Office had no desire to possess any individuality on the question. He did not know how the despatches had struck other hon. Members; but he had correctly described the impression gathered from a perusal of their colourless pages. From the beginning of the war to the present time there had been a great want of plain powerful speaking on the part of this country. There had been throughout, on the part of the Foreign Office, a distrust of itself, and a determination not to act in concert with other nations. It would be recollected that, at the outset, England was very much grieved and startled to find that the Government of the French Emperor persisted in their demands after the Prince of Hohenzollern had retired from his candidateship for the Spanish throne. It was quite true that at that time Lord Lyons spoke gravely and strongly. It was true, also, that his Lordship's language was approved, and that Lord Granville remonstrated; but he did not think anyone could compare the tone of that remonstrance with the enormous gravity of the circumstances, and without feeling that, considering the tremendous issues then depending, this country failed in its duty both to France and by Germany in not speaking much more plainly and much more strongly. He regretted also to notice that at the same time, and also subsequently, this country refused, when pressed to do so, to act with Italy in taking measures with a view to bring about a reconciliation between the contending nations. Since that time what had been England's course? She had, by reason of her great influence with the other European nations, gathered the neutral Powers into a sort of league, and bound them together under certain conditions. This was a step for taking which Her Majesty's Government deserved the thanks of the country; but, having formed this league, the next step taken by the Government was to reduce it to a state of complete inactivity:—the weapon had been forged but it was allowed to rust useless in our hands. There was not a single act done, not a single word spoken, not a single influence exerted during the existence of that league throughout the whole of the war to bring about a reconciliation between the two belligerents. Yet he could not help feeling that it was a great opportunity—that, if that opportunity had been availed of, out of that league might have grown a new sense of international obligations, that the league so sustained might have been found a great barrier against the violence of nations. He did not introduce his opinion alone. If hon. Members would turn to the last set of Papers presented to the House they would find that Lord Bloomfield thought so too. He wrote in this manner—

> "I hoped all the Powers would act steadily together and hold to their declaration, in which case the neutral party in England would become a powerful one, and have a right to be listened to hereafter."

He did not like to quote Russia; but still she had as much insight as any other nation. Very early in the war Prince Gortchakoff wrote to say that

> "He hoped Her Majesty's Government would lose no time in making a proposal on the subject to those Powers, and if they accepted it (of which there could be no doubt), the general concert established among them would greatly increase the moral influence which the neutral Powers would be entitled to exercise in any conference which might take place for the restoration of peace."

He would not repeat the charge that this country had prevented other countries from taking a more active part in bringing about peace. It might be so, but he would not make that charge. A friend of his the other day, in speaking to him on this matter, said it struck him that we played the part of a "detrimental." He (Mr. Herbert) did not know what a "detrimental" was. A "detrimental," in the language of a well-known journal, was a part played by a man who paid great attention to a young lady, but who had no serious intentions, and who thereby discouraged the attentions of others. His hon. Friend's idea was that England had not only failed to play her own part, but that she had prevented others from doing theirs in exerting a useful influence. Without raising that charge, he must express his deep conviction that the other neutrals in Europe would have acted if England would but have taken the lead. No man could have read the Papers that had been laid before the House without being struck with the constant appeals which were made to this country. All that was required was that England should give up the stoical attitude of indifference which she had assumed, and had she done so he believed we should have called a great power into existence for the purpose of reconciliation. He was not talking of war—he was not talking of an armed influence—but he was talking of the influence which such a country as this ought to exert—that of a grave, firm, and unfaltering remonstrance against wrong, against violence, whether on the part of France or on the part of Germany. He would call attention to some of the appeals that were made to this country. They would find that on the 27th of August Italy, for the second time, expressed her desire to act in concert with us. On the 10th of September they would find that M. Tissot was charged to represent to Her Majesty's Government that various Governments sympathized with the desire of France to obtain an honourable peace on the basis of territorial integrity. They would find that Austria hesitated to join the league which was formed simply because she wanted the league to be somewhat stronger in its purpose—she was constantly pleading for stronger action. On the 18th of October, Austria expressed her desire to see Europe recover from the torpor which seemed to beset her, and from the fear of a general convulsion. Austria declared strongly against the single action which we were maintaining; speaking touchingly, she said she could not act singly, but she again and again repeated that she was ready to act with us and for us. In the same way, Italy, on the 21st of October, through the Italian Minister, expressed her belief that the proper time to act had arrived, and proposed—what seemed to be a wise course—that the neutrals should consider and draw up the terms which they thought would be possible of acceptance. On the 25th of October Austria was again anxious to associate herself with England. In fact, she was ready to support us in whatever course we might initiate; her only anxiety was that that course should be something more than what it was. ["Hear!"] He heard a cheer from some of his hon. Friends, but he thought they could hardly have read the despatches. If they had read them, they would have seen how little it was that Austria was asking for. On the 5th of November again we had an expression of opinion by Austria that England, with Italy, should act together with her; again, on the 12th of December, we found that Austria proposed a united representation in favour of an armistice; and again on the 21st of December we found that she asked for a collective move and a firmer attitude. While Austria and Italy were anxious that the neutral Powers should take up a stronger position together, we constantly found that France was anxious for the same thing, and was pleading for the same thing. On the 10th of September M. Tissot was directed by M. Jules Favre to represent to our Government how great was the value of English co-operation. M. Jules Favre pointed out how much value public opinion in France attached to English co-operation, and how much that public opinion was afflicted at finding that, while her old and faithful ally was deeply suffering, England still hesitated to take any steps towards reconciliation between the belligerents. When M. Thiers came to England he used similar language, when he said, on the 17th of September, that if England would but lead, the other neutrals would follow; and that it would be impossible even for Prussia to withstand the moral influence of this country. Now, what was England's answer to all these appeals? Why, a cold answer of refusal of all concentrated action. He thought he could best express what was the attitude of our Foreign Office by reading an extract from a despatch—

> "Her Majesty's Government have declined to entertain any proposal with the view of localizing the war, or with regard to the eventuality of a combined mediation." [No. 109.]

It was not simply their refusal to act in concert with other Powers, but a greater charge that he felt himself bound to bring against the Government—and that was that they had distinctly refused to let this country have any opinion on the matter. Whenever any critical moment had arrived our Foreign Minister found himself seized with an incompetency to form or express any opinion respecting it. On September 12, in the 109th despatch, our Government conveyed an inquiry from the French to the Prussian authorities, taking care to say that they conveyed the message *verbatim*, and without comment. On the 16th of September Lord Granville refused to give an opinion respecting M. Jules Favre's circular, or any opinion as to the terms of the Armistice. He said he had no desire to give an opinion as to the fairness or the reverse of the proposals, although he had an impression that both parties had been extreme. That was the most the Foreign Office had said in the way of expressing opinion. Considering all the miserable circumstances connected with the war, especially the latter portion of it — that seemed to be very cold charity on the part of our Foreign Office; and it was rendered all the more mortifying, because whilst England refused to have an opinion upon those matters and backed herself out with polite indifference, other nations had had not the same fear. Italy was not afraid to express herself with regard to a cession of territory. She distinctly expressed herself as adverse to a cession of territory. She said she thought the terms of peace might be found in an indemnity and a dismantling of fortresses. On the occasion of the Armistice, too, both Italy and Austria were in favour of allowing Paris to be revictualled. The matter was mortifying, because if the neutrals had expressed themselves strongly about it he believed that peace, which was very nearly achieved once or twice, would have been established. That was not his opinion alone; it was the opinion throughout of the French Representatives. On the 8th of October, in the 195th despatch, Count de Chaudordy expressed the feeling that it was absolutely necessary that a common friend should come forward to find out a basis on which peace could be established. He would venture to support the opinion that it lay upon the neutral nations to make the way smooth and easy for peace by an acknowledgment which was made by France that if a Congress of nations was assembled she might be willing to make much greater sacrifices than she was prepared to make directly to Germany. He would also support it by a very important expression on the part of the French Minister at Florence, who seemed to think that France no longer refused to dismantle the fortresses, but would be willing to accept peace on that condition, and also to pay a heavy indemnity. Now, if that were the temper of the French nation, it seemed to require only strenuous and united action on the part of the neutral Powers to have brought about peace on such a basis. Unfortunately, our Foreign Office had found a formula, and under that formula it persistently shielded itself. The formula was repeated in a great many of those despatches, and ran very nearly in these words—"That it was not desirable to offer mediation unless they had reason to believe it would be acceptable to both parties, and a basis on which both would consent to negotiate." That was the position of our Government—it certainly was not the position of other Governments—and he ventured to think that those Governments were right and that our Government was wrong. It was our duty, not to wait for a basis, but to find one. To wait for a basis was to wait *dum defluat amnis*—until the whole course of the war had flowed on, and at last one party was so reduced that it would be obliged to accept whatever the other chose to inflict. Was it not so? Had not the course of events shown that it was wrong to wait for a basis? Here we were to-day; battle had succeeded battle and siege had succeeded siege, the war had gone on month after month, but the basis for which we were waiting had never turned up until this last moment, when France lay powerless at the feet of Germany. But he would not be speaking quite truly or justly if he were not to mention one startling exception. If the House turned to the 202nd despatch of the 16th of October they would discover something quite out of keeping with the tenour of all the other despatches in the Blue Book. That was a despatch in which we appealed to Russia, and was of so astonishing a character that he read it again and wondered how it found its place in that book. So mysterious were the ways of diplomacy that he could not attempt to fathom what that despatch meant. It might have been written because the Government at that particular moment had determined to give up the attitude which they had assumed up to that period, and which they persistently maintained after that time. It might have been written because they wanted to probe the dispositions of Russia, and they had certain suspicions as to what those dispositions were. The only thing that seemed to him matter of great regret was this — that the despatch was not addressed to one of the civilized Governments of Europe between whose words and opinions there was some sort of correspondence and relation. All he could say was that the spirit which animated that despatch left no trace of itself in any other. It was as wonderful as the toad which was buried in the rock and no opening could be found by which it had got there. But our Foreign Office refused to have any opinion; it was content to perform certain small useful offices for the belligerents. It was willing to carry letters for them, to obtain a safe-conduct, to pass any communication *verbatim* from one to the other. But, according to his belief, instead of performing the office of a whispering tube, we ought rather to have sought to exercise some moral influence over the two nations, to have moderated their violence, and to have called, with the united voice of Europe, for reconciliation. For himself, he could only say that if England was not to speak fearlessly on such occasions, however powerful might be the nation which she addressed, he would rather that the diplomatic service of this country was entirely given up, and that it was left to the Press and to public speakers to express what this country felt. And now, what remained to be done? He would venture to ask that even at this last moment we might make an appeal which should be worthy of this country. He did not wish that any threatening language should be used—that we should talk of arms, or pretend to do so; what he wanted was, that we should express openly and clearly how strong was our sense of the great evils which would arise if the terms of peace were extravagant and impolitic in their nature. He could only say for himself that terms which should involve the violent annexation of territory were to him immoderate. He clung to the principle which Europe had already learnt to sanction, that the inhabitants of any district ought not to be transferred against their will. That principle had caused a great deal of suffering and bloodshed, and he was not willing to give it up. It was in politics like the law of gravity in physics. It was the one firm abiding place, the one barrier against the violence of military ambition, and he, for one, could not consent to renounce it. But he did not wish in any way to bind the Government by his interpretation of what was immoderate. They must take on themselves the responsibility of deciding what was moderate and what immoderate. At this moment what the terms of peace might be was not known, but it would be impossible for us to discuss the question after the terms of peace were known. Germany had, in her own interest, refused already to communicate them. She knew her work well enough not to let Europe know what the terms of peace might be in time to call out any expression of feeling against them. Moreover, whenever Germany made known to Europe what the terms of peace were, it would be a matter of pride to her to maintain them. Therefore, if the action of the neutrals were to do anything for France in the way of moderating and softening the conditions, it must be now, before the terms were positively known. He objected to compulsory annexation for a great many reasons; not simply because of the injury it would inflict on France. Whatever he might feel about the German Government — however hateful to him was the policy which actuated it now— he had too great a respect and too great an esteem for the great mass of the German people not to wish to see them saved from the great injury which this annexation would inflict upon themselves. He was certain that annexation was a fatal gift; it was a *doron*—it was no gain, it was the old story—if the conquered suffered at the hands of the conqueror, they also inflicted moral degradation upon him. The annexation of the provinces no man could doubt would prevent the constitutional development of Germany. All that remained for him to do at this last moment was to plead that some united expression of opinion should go forth from the neutral Powers. He might be told that an Emperor who commanded a million of soldiers would not take much notice of such a remonstrance. He could not, of course, persuade any man on this subject who had no belief in moral influence. All he would venture to remind him of was that the whole social and political fabric of this country rested upon the belief that there was such a thing as moral influence; and no newspaper ought, in his opinion, to be written, no meeting to be held, and no speech to be made unless moral influence existed and possessed a certain power. He pleaded for its exercise because he thought we owed it to France, to Germany, and to ourselves. He pleaded for it not simply because France was our old ally, not simply because her independence was of the greatest importance to Europe, not simply because the condition of Europe would for years and years to come be affected by the terms of peace; but he pleaded for it for a much deeper and higher and stronger reason, and that was the great international obligation by which he believed we were all bound, from which we could not escape and ought not to seek to escape, and the spirit of which taught him that it was a thing wrong and inexpedient that Europe should stand apart, in distrust and disunion, and not say a single word or raise a single finger when she beheld one nation deciding on the destinies of another, and saw the conqueror holding in his hands the lives and future of the conquered.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House is of opinion that it is the duty of Her Majesty's Government to act in concert with other neutral Powers to obtain moderate terms of peace, and to withhold all acquiescence in terms which might impair the independence of France, or threaten the future tranquillity of Europe,"—(*Mr. Auberon Herbert,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR ROBERT PEEL: I thank the hon. Gentleman who has just spoken for bringing this question before the House, because in the present very critical state of Europe we cannot have such questions too forcibly or too earnestly brought under the notice of Parliament and the country. I do not mean to say that I entirely agree with the tenour of the hon. Gentleman's Resolution, whilst I must say he has submitted his views in a very excellent and praiseworthy manner to our consideration. There is, however, much which has fallen from him in which I fully concur. I have read this Blue Book solely with the object of considering the interests of England, and what, as a great European Power, should be our influence. The hon. Gentleman expresses a hope that the Government will act in concert with the neutral Powers. The neutral Powers! Where are the Government, I should like to know, to find friends in Europe to act with them? I have read these Papers, and have asked myself in the most impartial spirit—for I take no party view of this question—I have over and over again asked myself whether out-of-doors the public opinion of the country endorses and accepts the policy of the Government. Now, in endeavouring to answer that question, I am prepared to admit very frankly that their task has been a difficult one; although I must add that, in my opinion, they also surrounded themselves with a great many difficulties, and created for themselves not a few enemies. Within the last few months we have been menaced in the far West, and we are threatened in the East. Prussia despises our Government, and laughs it to scorn. There is France—poor France, as the hon. Gentleman has said—our faithful ally and neighbour, drinking at this moment the bitterest cup of national humiliation and sorrow. I should much like to know if, under these circumstances, our policy of isolation—of selfish isolation—has been productive to us of any advantage. I speak of "selfish isolation," and if I do not justify the use of that phrase by a reference to the Blue Book, so far as the policy of the Government is concerned, I shall be much surprised. We were told some time ago on authority which I am quite willing to accept—the authority of the Under Secretary for Foreign Affairs, who has recently left the Ministry—that he believed, speaking from his official knowledge, if Lord Clarendon had lived and remained in power, many of these complications with which we have since had to deal might have been avoided. Now, that may or may not be the case; but there is, at all events, one question which is constantly suggested by a perusal of these Papers. It relates to Lord Lyons:—and the policy which led to the ungenerous and unmanly flight of the English Ambassador from Paris ought not, in my opinion, to pass without censure in this House. I find that at first he was told by Lord Granville to remain in Paris. Then the Austrian Minister goes to him and says—"We had better get out of Paris;" and Lord Lyons, I believe, himself recommended to the Government that he should take his departure. Now, I wish to point out the position in which Englishmen in that city were placed by such conduct. There were 1,500 or 2,000 English subjects left in Paris, yet Lord Lyons quitted the city on the 17th of September, having, as I understand, been instructed only to leave with the other foreign Ministers. I find, however, that there were in January 18 foreign Ministers and Representatives remaining in Paris, whilst Lord Lyons had taken his departure from it in September. Now just consider for a moment how much credit the Minister of the United States gained for himself by staying in Paris during these events. Was he not able to succour hundreds of his fellow-subjects? The Swedish, the Swiss, the Belgian Ministers, and other Representatives of foreign States, to the number of 18, also remained in Paris to take care of the interests of their fellow-countrymen; but Lord Lyons seems to have been satisfied with saying to the English residents in the city that they must leave it, or remain at their own risk and peril. It is clear, however, that for 1,500 or 2,000 English subjects to act upon his advice at that moment was a thing altogether out of the question. I contend, therefore, that the departure of Lord Lyons from Paris is a proceeding which exposes the Government to the gravest possible censure, and I cannot help regarding his conduct as most unbecoming when contrasted with that of the other Ministers who remained on the spot. While upon that subject, I should wish to draw attention to the statement which was made the other night to the effect that Lord Lyons left Paris at the urgent request of M. Jules Favre. Such was the statement of the Under Secretary for Foreign Affairs, in answer to a Question which was put to him; and he was very cautious in his reply, as I observed, being fully prepared with it beforehand. But, with all respect to the

Under Secretary, the statement is not correct. I can find nowhere in these Papers that Lord Lyons left Paris at "the urgent request of M. Jules Favre," and M. Jules Favre being the French Minister for Foreign Affairs, our Ambassador, I should have thought, ought naturally have stayed where he was, and where the Representatives of so many other States also continued to remain. As to the position of affairs generally, I may be allowed to observe that if we had had a strong Government we should have had a resolute policy. We wanted a resolute policy just at that time. I do not concur in some of the observations of the hon. Gentleman who has just spoken as to what might have been done; but we wanted a resolute policy. I have observed that since certain events have occurred there has been much weakness and vacillation on the part of the Government, and that difficulties of such great and unexpected magnitude have arisen as not only to embarrass but almost to overwhelm them. One great difficulty, at all events, they appear to have grappled with with the most complete success. I allude to the success which has attended their efforts in bringing about in the brief period of 12 months so much of humiliation to the character and credit of this country. We talk of our national pride and of the moral influence of England; but the right hon. Gentleman at the head of the Government has advised us, in the opinion of the Prussian Government and Count Bismarck, to accept a policy of obliteration. I believe that this country has lost caste, and that in the course of the last two years this country, in the councils of Europe, has achieved more unpopularity than was accomplished by the policy of any other statesman within the last 30 or 40 years. ["No!"] An hon. Member behind me says "No!" Go to France—go to Switzerland—go to Germany — go to Belgium — countries which I have recently visited. Why, the universal expression of opinion on the part of all classes of society, echoed in the columns of the newspapers, is, *La politique du Gouvernement Anglais fait honte!* That is what you hear abroad. I have visited those countries, and can speak from my own observation. Now, what is the attitude of the Government? And when I speak of its attitude, I should be glad to say, by way of parenthesis, that I only refer to the attitude of the Government, and that I separate altogether from it the attitude of the country. I have admired —we all must have admired—the splendid philanthropy which has been exhibited. When one has witnessed, as I have witnessed, the thousands and tens of thousands of miserable victims of this war, thrust into Switzerland, maimed, and wounded, and crushed, and has thought of what England did to benefit, to assuage, and to alleviate this misery, I own that I have rejoiced at what has been done—that I have felt proud of my country. I speak, therefore, only of the political attitude of the Government. What that has been France, I suppose, knows pretty well. At all events, the Government, through one of its Members, expressed its opinion pretty freely about France; for I recollect, when I was in that country, seeing what I considered a most ungenerous taunt on the part of the Secretary of State for the Home Department. I am very glad that he has since endeavoured to explain it away, stating that he was badly reported, for I can assure the House that the fact of a Secretary of State being even supposed, at such a moment, to utter an ungenerous taunt against France created a most painful impression abroad. But I pass from that to the estimate which other Governments have formed of the attitude of our own Government. Take the opinion of the United States of America, in the most unfriendly message ever presented to Congress by the President, referring to relations with this country—take the opinion of Russia, as shown in their despatches and public utterances—take the opinion also of Prussia, which is very remarkable. I hold in my hand an extract from the German *Official Gazette* for December, a gazette which is believed to be under the inspiration of Count Bismarck and the highest authorities; and this is the way they talk of the Government of England—

> "It is perfectly idle to talk of the attitude of England, inasmuch as its policy admits of but one attitude—viz., that of obliteration."

Now, that is a literal translation of an article that appeared in the German *Official Gazette* in December last. And then the right hon. Gentleman at the head of the Government protests that we have not followed a policy of selfish isolation.

I fear very much, nevertheless, that this is the policy that must be attributed to our Government. I have here some extracts from the speeches of Ministers, showing what we have ventured to do, and what we have not ventured; and I really think this country has some reason to blame the Government for not having acted in the earnest manner which might have been expected. I will read one or two of these extracts, and the House will observe that in every one of them the word "ventured" occurs in some shape or other. "We ventured" to do this, or "we ventured" to do that.

> "We ventured to disapprove the demand made by France upon the King of Prussia for a prospective engagement respecting the candidature of Prince Hohenzollern for Spain; but then it was our misfortune to fail. . . . . We ventured to appeal to the Treaty of 1856 as to a reference to some competent tribunal for a settlement of the disputes between France and Prussia; but we did not obtain a hearing."

This is the language of the right hon. Gentleman at the head of the Government. Now observe this—

> "We expressed, in language so respectful that no objection could be taken to it, a hope that Prussia would not have recourse to the extreme measure of a bombardment of Paris. But we failed."

Again—"We ventured to favour" the calling together of an Assembly fully authorized to represent France—I assure the House that I am using the literal expressions of the Government. Again—

> "We ventured to point out that little good was likely to arise from the multiplication of abstract declarations with reference to the terms of peace."

["Hear!"] I do not dispute the fact —I am only showing now how "venturesome" the Government have been.

> "In the next place, we 'ventured' to suggest to the Government of Germany that it would be conducive to the general welfare, if they found themselves in a condition to make known what were the terms of peace which they deemed to be required."

This expression "we ventured" occurs throughout the whole of the correspondence, and as it is the manner of dealing with the question which is characteristic of the Government, I submit respectfully to the House that it is not the language which Lord Palmerston would have used. The language which Lord Palmerston used in the troubles upon the Continent has been detailed by my right hon. Friend and Colleague (Sir Henry Bulwer), whom I am glad to see in his place to-night for the first time. "Ventured to do" this, or "ventured to do" that—why this language is unworthy of a great and powerful nation! In common with many others upon both sides of the House, I am unable to listen to such language patiently. Now, how does the Minister for Foreign Affairs maintain his policy of selfish isolation? The hon. Member below me (Mr. A. Herbert) quoted some passages from the correspondence; but I am afraid he stopped sooner perhaps than he intended, for, not having the exact references at hand, the right hon. Gentleman (Mr. Gladstone) was enabled to complain that he was not so accurate as I shall be in my quotations. Lord Lyons writes to Lord Granville on the 19th of August, at page 15, that, "under instructions," he had informed the Government at Paris that Her Majesty's Government had no desire to "obtrude their mediation either on France or Prussia," but that

> "Their good offices would be freely given, and zealously exerted for the restoration of peace, if at any time recourse should be had to them."

I quite agree with that; it is an excellent sentence, and if it had only been followed up by action in the same spirit, I should have cheered as loudly as the hon. Gentleman who is sitting next my right hon. Colleague; but if he will give his attention to the next extract or two he will find how those zealous intentions cooled. On the 6th of September M. Jules Favre invited the good offices of England with a view to an armistice; but "Lord Granville to Lord Lyons" on September 7 said—

> "You will inform M. Jules Favre that Her Majesty's Government consider that they would be more likely to do harm than good to the cause of peace if they attempted to mediate"

—and I think they would with their "venturesome" policy. And then came a letter not to our Ambassador at Paris, or to be communicated to M. Jules Favre, but written directly by Lord Granville to Baron Brunow, saying that Lord Lyons had been informed that Her Majesty's Government would not attempt, either alone or with other Powers, to offer mediation unless they had reason to believe it would be successful. ["Hear!"] Yes; but by that letter they declined to take any initiative whatever, or to accept any invitation whatever, to co-operate unless they were assured of success. That was a very different thing from the assurance which Lord Lyons, acting "under instructions," had given to the French Government. Then came the private diplomatic mission to London with which M. Thiers was charged. At p. 73, Lord Granville wrote to Lord Lyons as to this—

> "I have had an interview with M. Thiers, and he implored Her Majesty's Government to allow England to show her sense of her long alliance with France, and thus assert her own place in the councils of Europe."

Lord Granville's reply was—"The Government must judge what is best for themselves;" and objected to even an offer of mediation, or of good offices. Why, Lord Granville had just before said that the Government would most zealously exert themselves, if any application were made to them for their good offices. [An hon. MEMBER: By both the belligerents.] No; the phrase is either on the part of France or Prussia. And yet, when M. Thiers implored us to show our sense of the long alliance, Lord Granville replied that the Government must judge what was best for themselves, and objected even to an offer of mediation or good offices. Can you conceive such a niggardly policy? They decline to mediate—they will not even give their good offices to a country that has been our close ally and friend for the last 20 years—a country that upon 20 battle-fields in unison with England has sacrificed her best blood and her bravest sons for objects which the two countries had at heart. Yet this is the answer we give to M. Favre and to M. Thiers. M. Thiers, by the way, was excessively complimentary to Lord Granville. I do not know why, but he spoke in the highest terms of Lord Granville's father. Now, one is always proud to hear one's father spoken well of; but why such pains should be taken to record in a letter from Lord Granville to Lord Lyons, forming part of the official correspondence upon the French and German War, that M. Thiers remarked to Lord Granville—"What an excellent fellow your father was—" [*Laughter.*] I cannot at this moment lay my hand on the passage, but I commend it to the reading of hon. Gentlemen — why it should ever have been said, or why it should have been put there, I do not know, except that it may have been done with a view to reciprocity. Lord Granville writes again to Lord Lyons respecting M. Thiers's view—this was after he had spoken so highly of his father—and he states that he told M. Thiers he was not jealous of any action which the neutral Powers might take which would lead to peace, but that he did not care to join them. Let the House hear these extracts, and say if this is the manner in which the foreign policy of this country should be conducted—whether it is anything else than a policy of isolation. Take this paragraph; it occurs on page 82, No. 134, in a despatch of Earl Granville to Lord Lyons—a most curious despatch, as you shall hear—

> "On parting, M. Thiers made an observation which, coming from an eminent statesman, it is tempting to a son to record. He adverted to the time when he transacted business with my father, when the latter was Ambassador at Paris. He himself had been brought up in the school of M. de Talleyrand, but he had always considered Lord Granville as the *beau idéal* of a diplomatist—a proud Englishman, able, gentle, straightforward, and honest: proud indeed, as he had found when once he had a movement of vivacity with him."

Sir, I quite agree in that character of the late Lord Granville, and I also think the present Lord Granville the *beau idéal* of a gentleman in every way. I say not one unkind word of my noble Friend; but I think these extracts—with which I have troubled the House, I fear, at too great length—show that the policy of this Government has been one, as described in the German gazette, of obliteration, and, as I say, of selfish isolation. I was surprised to hear the conduct of Prussia spoken of as it was the other night. I must say I look on the unification of Germany as a great peril to Europe; and for this reason—no one will deny that the unification of Germany began with an essentially democratic movement. Since 1830 15 Sovereign Princes have been removed from their thrones by their respective people. What greater proof can there be of an earnest democratic development? We have at this moment the unification of Germany under a military despotism. Can that be for the good of Europe? It cannot be for the good of Europe that there should be a great military despotism in Germany, built up on the ruin and destruction of France. German unification began in 1848. It was worked out by the absorption of Hanover, Holstein, and Hesse Cassel: and now the Sovereigns of Würtemberg, Baden Baden, and Saxony think to stave off the evil day to themselves by offering the Imperial Crown to the King of Prussia. I do not believe that the unification of Germany as a military despotism can be for the good of Europe. I do not believe it will last. I think the time will speedily come when we shall see it swept away. But I do regret, in this particular also, the conduct of Her Majesty's Government. They made haste to salute the new-born Empire of Germany in the French Palace of Versailles; but could not say one kindly word to France. Such conduct was an insult to France, and all that was noble and generous in its history. I should have liked Her Majesty's Government to have made some recognition of the Republic in France, for I am firmly convinced that is the only system of government that can prevail for good in that country. I am not singular in that opinion. M. Thiers himself, the greatest statesman in France, in 1848 said distinctly that it was the form of government which caused the fewest divisions in the country—*C'est le gouvernement qui disire le moins;* M. Guizot also calls it "a noble form of government." Considering what had occurred in France, I think Her Majesty's Government might have acted somewhat differently towards that country, which had been so faithful an ally of England. There are three facts to which, if the House will allow me, I should wish to refer, as showing the savage manner in which this war has been carried on by Prussia, and the bitter antagonism that existed at the end of a few weeks. The House will hardly credit what I am going to state; but I have myself taken pains to ascertain the facts. We all know how villages have been sacked, whole provinces wasted, and millions of francs levied in requisitions on towns; but here is an order of the day of Prince Frederick Charles, which, so far as I know, has never been contradicted. I wrote to inquire if it was true, and I received in reply that it was stuck up in Mans and had never been contradicted. The document is in French, but I will translate a few of its expressions—

> "Exert all your activity," he says to his soldiers, "march and parcel out this impious land. Exterminate this horde of brigands which they call the French army. The world cannot rest in peace so long as the French people survive."

["Oh, oh!" "Hear, hear!"] Such language will give the House a valuable insight into the manner in which this war has been waged. But here is a document, if possible, still more remarkable. Here is a Royal order of the King of Prussia himself. I hope he never saw it, so very severe is it. It refers to Alsace and Lorraine—which the House will remember have not yet been attached to Germany by any legal instrument. It bears date the 13th of December, 1870—it was posted up in Strasburg—and there is no doubt of its authenticity. The first article of this Royal order of the King of Prussia is this—

> "Whoever joins the army of France is subject to confiscation of his property and banishment for ten years."

Article 2 declares that—

> "Publication for three days in the Official Gazette is sufficient to give the condemnation force of law."

Article 5 says—

> "Whoever is absent for more than eight days without leave is held to have incurred the penalties of the articles above mentioned, and to suspect is sufficient for condemnation."

Is it possible that in the middle of the 19th century war can be conducted on such terms? 13,000 young Alsatians have joined the French army in defence of their liberties and lives. Can it be that this atrocious order will be carried into effect as regards them? I will give one more instance. The House will recollect that after the armistice which was made on the 27th of January, after three days' negotiation—I was then on the frontier of France and Switzerland—the King of Prussia telegraphed to Berlin that an armistice had been concluded, and it applied to all the forces in the field and on the water. But how was it applied? M. Jules Favre telegraphed to Bordeaux to the effect that the armies were to remain in possession of the tracts of country occupied by them, with a zone of neutral territory separating the respective forces of the two countries. Well, after that order had been circulated, and after General Bourbaki had in a fit of despair endeavoured to commit suicide, General Clinchamp, who succeeded him, issued an order of the day informing the 80,000 soldiers under his command that an armistice had been agreed upon, and that the troops were not to resume hostilities until it had expired, and yet after what had occurred, the Prussian General Manteuffel actually attacked these 80,000 Frenchmen and drove them over the mountains of the Jura into Switzerland. I saw this wretched army. I came across thousands of men frost-bitten, without shoes, and wholly unable to protect themselves from the inclemency of the weather. Is it not lamentable that, under the circumstances, such an attack should have been made? But I must conclude, expressing my thanks to the House for having allowed me to make these remarks. I feel very strongly that the Government is not following, and has not followed, such a policy as this country ought to pursue. I do not, indeed, wish to see this country rush rashly into war —God forbid!—but I know that before the commencement of the war Austria and Italy told Her Majesty's Government that they were prepared to join us in a determined and resolute denunciation of the conduct of France in proposing to attack Prussia. I am satisfied that if Her Majesty's Government had acceded to the request of Austria and Italy they would most probably have succeeded by mere moral influence in preventing the war. Even if this had not been the result, I think the Government ought to have followed a policy different from that which they have chosen. I am ashamed to say that everyone who reads the Blue Book must feel the deepest pain when he finds what the policy of our Government has been, and I most sincerely hope that they will at once bestir themselves in a different line of policy. We are most unpopular abroad; we have lost caste abroad. Still the spirit of the country is the same, and is willing to back up the Government in any way they may think desirable. ["No, no!"] I venture to say that if there was need—if an enemy should attack this country—there would be one universal expression of national spirit vibrating through all the arteries of the country. But in return for that demonstration of national spirit, which has never yet failed in times of emergency or under the pressure of circumstances, we have a right to demand, and we do demand, of the Government of the day that by its policy and by its acts it shall maintain this country in that position which she once so proudly held in the estimation of her people and in the councils of Europe.

Mr. W. C. CARTWRIGHT craved the indulgence of the House, which he was addressing for the first time. Moreover he was addressing it on a subject which was full of delicate complications, and was following two Members who had ably reviewed the policy of the Government with respect to it. The Resolution before the House, however, did not refer to transactions already passed —it professed to be a guide for the conduct of Her Majesty's Government in regard to the terms of the peace now about to be negotiated between France and Germany. He thought such a Resolution both inopportune and impolitic. It was inopportune because it was brought forward at a moment when every effort should be made that could be made to allay the violent passions which had been aroused in France; and it was impolitic because, at a moment when those passions seemed about to be allayed, it would tend to re-awaken those misconceptions of which we had already seen too much. Misconception had been the predominant error and failing of France throughout this war, from its initiation down to its bitter end. One of the most remarkable utterances, well to be borne in mind, which was recorded in the Blue Book, was the statement made to Lord Lyons by the French Minister for Foreign Affairs, before distress came very near home to the French people, in reply to an offer of friendly offices. The answer of the French Minister for Foreign Affairs —given almost with superciliousness— was, "We want no mediation from any party;" but when distress pressed more and more heavily on the French people, then French statesmen clamoured fearfully—not for mediation merely, but for active interference. If this Resolution should be carried at this untoward moment the French belief in the inevitable arrival of succour from abroad, which had already been the cause of so much evil, would only be confirmed. The more he studied the Resolution the more he was driven to the conviction that it was incapable of acceptance by the House. The Resolution began by saying that the House was of opinion that it was the duty of Her Majesty's Government, in concert with other neutral Powers, not to recommend—for had his hon. Friend contented himself therewith, he, for one, would have had nothing to say against this part of the Resolution—but actually to obtain moderate terms of peace. Such a Resolution, so worded, would impose on Her Majesty's Government a positive obligation very capable of involving it in complications of the gravest nature. For to fasten on Her Majesty's Government the duty to obtain terms was to fasten on it a duty not of effort, but of certain positive results. But could his hon. Friend state how he would secure the attainment of such results? He had listened with attention to his speech, and had quite failed to catch any indication of what means he would have Her Majesty's Government put in play. All he had been able to glean from his hon. Friend's own commentary on his counsels, was his distinct declaration that he had no wish to see Her Majesty's Government use violence or have recourse to arms. Well, then the Resolution went on to assert it to be the duty of the Government to withhold all acquiescence in terms which might impair the independence of France or threaten the future tranquillity of Europe. Now, had the House a clear comprehension of what it was asked to resolve in those terms? In his speech his hon. Friend had given it as his opinion that all terms involving any cession of territory were to be reprobated as immoderate; so that, by the terms of the Resolution, it would be the duty of the Government "to withhold its acquiescence" from the annexation of Alsace, even though such annexation were effected in virtue of an instrument signed and sealed by France and Germany. Now, such an instruction as this was simply to make the Government have recourse to a hollow diplomatic fiction. No doubt, precedents for such a course existed; but what sort of precedents were they that we should be tempted to follow them? One happened after the Italian War, when Austria refused to recognize the fusion of the central Italian provinces into the kingdom of Italy. The consequence was that for Austria there still existed a Duke of Tuscany—a Pope in the Romagna—and that it declined to have its Consuls and other agents take cognizance of the actual Sovereign in possession of those countries. Was that any benefit to Austria? And another precedent was forthcoming from the action of this country in one instance. When Algeria was wrested from the Dey by France, for years this country would not recognize this conquest; and actually down to a comparatively recent date our Consuls in the French possessions in Africa were made to take their exequaturs from the Sultan. But, for all that, the fact remained the same; and he would ask the House if it really thought the dignity of the country had been raised by such a procedure so that it considered a repetition desirable? Well, then, he wished the House to consider how vague were the expressions in the Resolution, and how difficult it was to determine what "terms might impair the independence of France and endanger the tranquillity of Europe." His hon. Friend had already expressed his opinion that all cession of territory was to be reprehended as a grievous wrong to France. But could any really impartial person declare that any surrender of territory by France must amount to dismemberment, and constitute a monstrous outrage on that country? Look at what was done by France about Savoy and Nice. The latter province was taken, though Italian in language as well as Italian in tendency and affection, while Alsace was German in tongue, and had at all times kept up certain national relations with Germany. But how was his hon. Friend going to define what was or was not threatening to the future tranquillity of Europe? The cession of Alsace was insisted on by German statesmen in 1815, precisely on the ground that they considered the non-surrender of it by France a danger to the future tranquillity of Europe. And did not practical facts prove the correctness of their anticipations, and show that danger was to be apprehended rather from the Power which had the province than from the Power which now claimed to acquire it? This was an illustration of the great difficulty of defining with accuracy the practical sense of the expressions which the Resolution contained, and forecasting off-hand the conditions of the world's future. He had lately read a letter which, no doubt, many Members of the House had also read with the same interest, addressed by M. Guizot to the Prime Minister, couched in terms singularly pathetic as coming from one far down the role of years, and who, with almost a foot in the grave, had to look back upon his country in the depth of grievous humiliation, which during so many years he had been helpful in governing with honour and success. He would be the last man to say one word which could reflect on one so venerable and so distinguished; but, as the letter in question was professedly meant as a statement of the case on behalf of France, he could not refrain from drawing attention to one inaccuracy which was not without importance in considering the points at issue. M. Guizot protested against the inordinate demands of the Germans, and contrasted them with the more liberal actions of his countrymen. He instanced the disinterestedness of France, which, he said, in 1859 was content to ask for no more than Savoy and Nice. What, however, really happened was this—France went to Italy as a liberator, and when, owing to circumstances, she did not carry out her original programme to free Italy from the Alps to the Adriatic, she waived her claim for these provinces, but turned round to Italy and said—"You must pay me for my assistance in the field." She accordingly presented a bill of 70 millions for *materièl de guerre* lent to Italy in the campaign; and when the bill was paid she extorted Savoy and Nice as compensation for acquiescence in the fusion of the central Italian provinces, and no voice in France—not even that of M. Guizot—was raised against their annexation. All Frenchmen looked upon it as a glorious consummation. The capital danger of France—which the mover of the Resolution, in spite of his sterling sympathies with that country, was doing his best to foment—was that throughout the whole of this unhappy war French statesmen had laboured under the belief that there was something so sacrosanct in the essence of the French constitution as must compel the rest of the world to come to her rescue; and, if one act more untoward than another could be committed, now that the French Assembly was meeting at Bordeaux, it would be that the House of Commons should adopt such a Resolution as this, which the mass of imperfectly educated Frenchmen would accept as the demonstration they had been hitherto waiting for in vain—that there was a determination in this country in favour of that active interference by the neutral Powers which French Ministers had been clamouring for as due to the rights of their country. Another dangerous hallucination which had taken possession of the French political mind was, that if they could not get peace according to their original programme—that was to say without the surrender of any French soil—then they hoped, at all events, to bring in the neutral Powers in such a manner as to throw upon them the odium and responsibility of forcing on France terms of surrender distasteful to her. The proof of this notion was to be found throughout the Blue Book, but especially in almost the last cry for help contained in this correspondence. Writing from Bordeaux on the 16th of December to Lord Granville, Lord Lyons, reporting what passed at an interview with Comte de Chaudordy, gave this version of the French Minister's statement—

> "There were, he said, three different arrangements possible, any one of which might have the desired effect. The first was an armistice, on the condition of Paris being re-victualled for the time it lasted. This would render the election of a National Assembly possible. The second was a peace without any cession of territory. The third was a European Congress to determine the conditions of peace. To such a Congress France might make concessions to which she never could be brought if she were left to negotiate with Prussia alone."—[No. 317.]

Now, this last alternative which the French would accept would leave necessarily something behind which would rankle in their minds. Another illustration of the same wish to commit the neutral Powers was to be found in a passage which followed. The Comte de Chaudordy desired Lord Lyons to ascertain the terms of peace which Germany would accept, but, he said—

> "The inquiry must be made by Her Majesty's Government as coming from themselves (*en dehors de nous*), and not as being in any way prompted by France."

If such an interference as that suggested by the Resolution were attempted, and if such a Congress were assembled, whatever terms they recommended to France, these would assuredly leave rankling in the minds of Frenchmen a deeper feeling of resentment against the neutral

Powers, and especially against us, than any which had hitherto existed, and impress afresh upon the French imagination that kind of animosity which it entertained against the coercion France had been forcibly obliged to acquiesce in at the hands of an overpowering coalition in 1815. The tendency that ran through the whole spirit of these French proposals was to put the neutral Powers in a position in which they might get looked upon as the agents on whom rested the responsibility of having dictated to France acceptance of terms which, from single-handed Germany, she would never have accepted. He believed, therefore, his hon. Friend (Mr. A. Herbert), while his earnest sympathy with France could not be doubted, would be acting not as a friend, but as an enemy to that country, should he succeed in obtaining the adoption of this Resolution. His hon. Friend should consider the responsibility which must attach to anyone who, at this moment, when France was prostrate, did anything to induce her not to meet the Germans fairly, and concede fair terms of peace. The programme of France, the only one she had officially proclaimed—"Not an inch of our territory, not a stone of our fortresses"—did certainly not offer fair terms; and at that critical moment it became the true friends of the French people, instead of fomenting passionate impulses, to induce them to meet the Germans fairly, and yield those terms of peace which their enemy had earned for herself by successes won with so much gallantry and skill.

MR. GOLDSMID said, the views which the Government had expressed in their Blue Book were the views entertained generally throughout the country. The country was satisfied with that policy which the hon. Member for Nottingham called a "colourless" policy, and which the right hon. Baronet (Sir Robert Peel), had stated was a policy wanting in resolution. Now, what did such a statement involve? It appeared to him (Mr. Goldsmid) in itself to furnish a proof that the language of Her Majesty's Government had been well-weighed and deliberate. A so-called "colourless policy" on the part of the Government must go to show that they had endeavoured to keep a fair balance of justice between the two contending parties. The words of Lord Granville—which the right hon. Baronet, however, had hardly fairly quoted, for he read part only of the despatch—showed this to be the case, for Lord Granville stated expressly that he was unwilling to mention any terms or offer any mediation between the parties, unless he had reason to believe that those offers would be acceptable. What could be more sensible—what could be more reasonable—than such a statement?—because it was perfectly obvious that the only result of any other course would have been to bring even greater discredit on England than, according to the right hon. Baronet, now attached to her. But he (Mr. Goldsmid) thought the statement of the right hon. Baronet that England no longer maintained her former high position among the Powers of Europe was disproved by the fact that all through the proceedings to which this Blue Book referred constant appeals were made to England, and that she had been attacked equally by both parties for the position she had assumed. He would go further than that. He would say that the position of neutrality was the proper position for England to assume. Under that position they were attacked by both sides on various grounds—for example, by Prussia for the export of arms. Well, was it not a fact that the export of arms from America had been far greater than the export of arms from England? Yet, in consequence of a Treaty which Prussia concluded some years back with the United States, it was an admitted fact that Prussia had given authority to the United States to export arms to any country at war with Prussia which might be used against her; and it was, therefore, hardly fair to say that they had no right to do what Prussia had ceded power to another nation to do. Such an attack as that which had been made went to show that their position of neutrality was an inviolable position, and the proper position for England to take up. Because if they had not been neutral, what would have been the result? Had they not heard of a policy of "meddling and muddling," and the discredit of saying too much without being prepared to follow up words with acts? Had they not an instance of this in the case of Denmark, and other instances in European history? He felt, therefore, that the duty of Her Majesty's Government was, instead of expressing an opinion, to refrain from expressing an opinion which they did not think likely to be acted upon. He maintained that the action of the Government was in accordance with the wish of the great majority of the people, who desired that this country should abstain from interference in the war, which on the one side and the other was a war of conquest. The origin of it, as it appeared to him, rested in iniquity. The object of the war on the part of France was, at the beginning, conquest; and, on the part of Germany afterwards, the subjugation of France and the appropriation of entire provinces. If Her Majesty's Government had adopted a policy of threatening—a policy of using words which they did not mean to follow up by acts—they would have met with universal reprobation. More than that, it must be remembered that an expression of opinion which came from a British Minister was regarded as an expression of the opinion of the country; and, if Lord Granville had expressed the opinion which the right hon. Baronet would have wished him to express, he would have involved the country in the most serious difficulties. He (Mr. Goldsmid) wished also to say a few words on the terms of the Notice of the hon. Member. The Motion before the House called upon the Government to act in concert with other neutral Powers to obtain moderate terms of peace. Now, he would like to know what right Her Majesty's Government had to suggest terms of peace, unless one of the belligerents, at least, asked them to do so? It appeared to him that if Government were to act in the way the Motion pointed out they would probably be told in polite words to "mind your own business," and if such were the result of her interference England would lose her credit on the Continent more than by any other proceeding which could possibly have been adopted. But the Motion further asked the Government to withhold all acquiescence in terms which might impair the independence of France. Now, if the Government of this country were to say to the Prussian Government—"We propose to withhold our acquiescence in terms of peace which will impair the independence of France," Count Bismarck's simple answer would be—"What do we care about it: you may withhold your acquiescence or not; but unless you mean to back up your words by deeds I do not care about your acquiescence;" and, consequently, by such a course the Government would involve itself in a line of conduct which the country would not approve. The Motion appeared to be unnecessary, for it was pretty well known throughout Europe that the opinion of England was that the war had gone too far, and that the terms of peace should be moderate. The terms which had been announced indirectly as those which the Germans were about to impose had been received in England with universal reprobation. He believed that the wisest course, and the course which would be approved by the country was that which the Government had adopted—namely, not to interfere unless they saw reason to think that their words would carry weight; and if they were requested by either belligerent, then to express their opinion jointly with other neutrals in favour of the most moderate terms. He (Mr. Goldsmid) concluded, therefore, that the whole of these proceedings, as shown in the Blue Book, proved that the British Government were throughout this matter well able to conduct the foreign affairs of the country in a calm and judicial spirit befitting the position of neutrals, which, though disagreeable to belligerents, was, he believed, in consonance with the feelings of the people of this country.

VISCOUNT ROYSTON said, there was a very strong feeling among the nations of Europe in regard to the position in which France was placed. The sympathy which they might give to France was perfectly natural—indeed if it were not given, it would be even unnatural; but much as he sympathized with France, in common with every Gentleman in the House and with the people of the country, he could not think that the Motion which the hon. Gentleman (Mr. A. Herbert) had put on the Paper was conducive to the better arrangement of terms of peace, or would be satisfactory to the general feeling of this country. Under the guidance of the right hon. Gentleman, this country had pursued a policy which, however we might sympathize with our neighbour, he must candidly own had been a sound one. The policy of neutrality was one of considerable difficulty owing not only to the opinions current among the population of this country, but also to the feelings and opinions which might exist abroad. This country, living under a settled government, and exposed to no temptations of foreign acquisition, could afford to stand aside from the quarrels of Europe and maintain a strict neutrality. Let them look back to the various questions which had agitated the Continent of Europe, and in regard to which indignation had been expressed against our "isolated policy." In the year 1863 the Danish question arose, which created great confusion in the councils of Europe. The right hon. Gentleman at the head of the Government was at that time a member of Lord Palmerston's Government, and the right hon. Baronet the Member for Tamworth had twitted him with the remark that if Lord Palmerston had been Prime Minister of this country at the present time he would not have adopted the line of policy of the present Government. With all respect to Lord Palmerston's memory the present foreign policy of neutrality adopted by this country was rather started by him. Lord Palmerston spoke in this House in the strongest terms of reprobation of the annexation of Schleswig and Holstein by Prussia. From that annexation dated the whole misery which had now fallen upon Europe. He himself heard Lord Palmerston—for, though not a Member of the House at the time, he happened to be present during the discussion—make that speech in which he wound up with saying that "Denmark would not stand alone." Lord Russell, who was then Minister for Foreign Affairs, was in active negotiation with the Emperor of the French to get him to act in concert with England—to get him to back up the treaty, by which England and France had guaranteed Schleswig and Holstein to Denmark. Everyone knew that the Government of the day, feeling that the position of Prussia was becoming dangerous to Europe, and foreseeing the consequences which might possibly take place if such a scandalous break-down of treaties was permitted, made a strong resistance to the policy of the Chancellor of the North German Confederation. Unfortunately—because it had been a great misfortune to the Emperor of the French—he did not act in consort with the British Government in regard to Schleswig and Holstein. Lord Russell's policy which had been described by the late Lord Derby in the House of Lords as a policy of "meddle and muddle," did not certainly gain that name without some reason. The statement made by Lord Palmerston in this House had been received with cheers, and gave the greatest satisfaction out-of-doors. The feelings and sympathies of England were roused not only by the way in which a small Power like Denmark had been stripped of her possessions, not only by the intimate connection which had taken place through a Royal marriage, not only by the feeling of the people of this country regarding the breaking of treaties, but also by the prospect of the difficulties that might arise hereafter. It was stated in the House at the time that if the King of Prussia and his troops went to Copenhagen and took the King of Denmark prisoner, this country must save him. Yet after that language the spirit of the treaty was broken through: France did not act with us, having been treated by Lord Russell with some disrespect. The Emperor of the French having demanded a Congress to take into consideration the Treaties of 1815, Lord Russell, instead of giving the Emperor of the French some answer to gratify his vanity, told his Imperial Majesty—he did not doubt with truth—what was disagreeable at the time. Hon. Gentlemen were smiling; but there were unpleasant truths, and there was a pleasant and an unpleasant way of telling them, and it was enough to say that Lord Russell had not that conciliatory manner which distinguished the present Foreign Secretary. The Emperor was irritated by that answer, while by an additional misfortune our Ambassador in Paris did not receive the despatch which declined the proposition for a Conference so as to communicate it to M. Drouyn de l'Huys until it had been published in the English papers. It might be said that this was a small matter; but many small matters made up a great offence. It was hardly too much to say that but for this accident, and Lord Russell's want of tact, the Emperor of the French would still have been upon the Throne of France; but for that the Emperor would have joined us in resisting the spoliation of Denmark; that mighty Power which was now domineering over Europe would never have been built up; and the present war would never have broken out. Of course what he was stating was open to objection, and certainly to doubt; he meant "doubt," because what he said was only an opinion of his own. He must state his opinion that this country had not from the year 1863 kept up the position that she ought to have maintained as a great Power, and she had retrograded in the councils of Europe. From the gist of the speech of the right hon. Baronet the Member for Tamworth (Sir Robert Peel) it appeared he had gone through the Blue Book with considerable assiduity. He (Viscount Royston) had not waded over the whole of the volume, and what was more he did not intend to do so. He noticed that hon. Gentlemen often came down to the House and treated Members with extracts from Blue Books which they might read at leisure for themselves. He would not do so; he would only give his opinion that what he had read in the Blue Book had convinced him that the policy of Her Majesty's Government had been a straightforward one—a policy of neutrality, to which, however disagreeable to foreign countries, it was necessary in our own interest to adhere. He would ask the right hon. Member for Tamworth what he would propose that the Government should do? Would he wish the Minister for Foreign Affairs to have gone to the Chancellor of the North German Confederation and say that if he repelled the invasion by France we should go to war with Germany, or have gone to France and say if the French repelled the invasion of the Germans we would go to war with them? We held a comfortable position with regard to ourselves, and he did not think it was desirable to go and meddle with the quarrel of two great Powers—a quarrel that we never could have stopped, because it had been brewing for years. It had been brewing on the part of France since 1815, and France had only been waiting for an opportunity to make its rush at the throat of Prussia. He had lived in France and had seen a great deal of French society, and he was in France at the time when the Luxemburg difficulty took place. Then mediation was asked, it was given, and it succeeded. Prussia had never been an aggressive Power — ["Oh, oh!"]. His hon. Friends had not heard what he was going to say—she had never been aggressive outside what she considered her own sphere. She had a scheme for the unification of Germany, which dated far beyond the time of the present distinguished Chancellor at the head of the Prussian affairs. It dated as far back as the Ministry of M. Hardenberg, who took part in negotiating the Treaty of 1815. He himself (Viscount Royston) reprobated what had taken place in Germany; yet Germany had a scheme of its own, and it was owing to the assiduity and vigour and talent of the Chancellor of the North German Confederation that it had been now carried out. But the difficulties of that scheme were only now beginning. With regard to North Germany, the work was probably easy; but with regard to Southern Germany, where the religion and the political feeling of the people were different, it was more probable that the task would be found a difficult one. What would the right hon. Baronet the Member for Tamworth propose should have been done? That was the simple question which every thinking man in this country would put. What could this country have done to have carried out the hon. Gentleman's (Mr. Auberon Herbert's) policy? He had raised the discussion which he (Viscount Royston) hoped might be profitable. The hon. Gentleman sympathized with France, and so did he (Viscount Royston); but he had seen more of France than the hon. Gentleman, though not under the trying circumstances in which he had so kindly and honourably distinguished himself. He had watched the progress of feeling in France, and, associated as he was with one who knew more of French society than any Gentleman in that House or outside its walls—one whose opinion was perfectly well known to the late Lord Clarendon—he could state that that gentleman shadowed forth in letters which might one day see the light of publicity, that the stability of the Government of the Emperor was uncertain, and the advice he gave was that the Napoleonic dynasty was trembling on an uncertain foundation. We had been told that the Emperor had done all the mischief—that he was the cause of all the evils which had occurred. It could not be denied that the Emperor was responsible to the people of France for every step he had taken with regard to war; but neither could it be denied that there was a force behind which impelled him forward, and the moment the Emperor let the French people slip out of his hand—as he had acknowledged it had—his doom was certain. Knowing the character of the French people, he (Viscount Royston) did not think that they would have crumbled away with as much facility as their Emperor; but in six months a nation of 36,000,000 was utterly crushed, three armies were taken prisoners, they never won one single action, they had not produced one general with a head, and they had not been able to raise a Minister capable of conducting the national affairs. He asked whether it was conceivable, in the hallucinations of any mind whatever, to imagine such a prostration as had been witnessed within the last six months? Britain could aid and sympathize with France, but that was all she could do till she was asked, and when asked—though he was opposed to many of the questions upheld by the Premier and his supporters—he believed she would act worthily of her antecedents. He thought the Government deserved the best thanks of England, and he was confident that when this country could mediate with any chance of success the Government would come forward with heartiness and readiness to perform that office. He trusted that that time was not far distant—because Germany, with amalgamated power and a concentration of forces, rendered it probable that the entire prostration of France, instead of being conducive to the peace of Europe, was certain to incite war. There could be no durable tranquillity on the Continent so long as France was demolished. He could not believe that so farseeing a man as the Chief Minister of the Emperor of Germany could allow himself to dictate such terms of peace as could not be performed. It would be useless to demand ten milliards of francs; it would be cruel to take Alsace and Lorraine, and the greater part of the French fleet. When these terms were propagated by the newspapers, and believed in by the *gobemouches* — in which latter category he should not think of placing the right hon. Member for Tamworth, although he was startled when he heard that right hon. Baronet quoting a proclamation which, he said, had been posted upon the walls of certain cities, as emanating from Prince Charles, who as a practical general could never have been guilty of such pettishness and childishness—they naturally created a great sensation. But he did hope that the terms of peace — which must be severe, seeing that Germany must defend herself against future aggression by sufficient securities—would soon be adjusted. The fact was that the French people had brought the war upon themselves. No man —not even the Emperor himself—had done more to incite a war feeling than M. Thiers, both in the Chamber of Deputies and out of it. M. Thiers had been elected by 19 different constituencies, which constituencies had evidently a higher opinion of the French Minister than he (Viscount Royston) could ever form. Personally, M. Thiers had brought as much misery upon his unhappy country as any Minister connected with the Empire. In the fortifications of Paris alone he was responsible for the expenditure of 200,000,000 of francs, besides bringing upon the capital the misfortunes and horrors of the late siege. France had not only slipped out of the hands of the late Emperor, but out of everybody's hands. But we in this country should not be led away by maudlin and philanthropic sentiment. That France was in a wretched and deplorable state was too true; but our assistance should only be given when it was asked, because volunteered it would only bring reprobation on ourselves, and never elicit any gratitude from France. He hoped the Motion would not be pressed to a Division. The best wishes of Britain were with France—the people of this country would do all in their power to alleviate the sufferings of France; but we should not be forced into a policy which might bring destruction upon ourselves, and no benefit to those upon whose behalf we intervened.

MR. HORSMAN: There is one objection to this Resolution which my hon. Friend (Mr. A. Herbert), who has moved it with so much earnestness and feeling and so much ability, must feel is calculated to render it so unacceptable to the House, that I hope he will be satisfied with the discussion he has raised, and not take a Division upon it. That objection is that this Motion would drive the Government to abandon the position of neutrality which they have taken up in accordance with the feelings and wishes of the country at large. So far as this particular Blue Book is concerned, I cannot entertain the same view of the policy of the Government as is taken by some of my hon. Friends. The Government have had a very difficult duty to discharge. They have had, first, themselves to take up an attitude of neutrality; and they had, secondly, what was not a less responsible duty—to localize the war and to induce by their influence other parties to adopt the same policy. I have read with great attention the despatches alluded to by my hon. Friends, and I have observed the pressure put upon the Government to induce them to take up what I think was termed "the resolute and determined attitude" pressed upon them by M. Thiers and others. I am sure I shall receive the concurrence of many on both sides the House when I say that nothing is so contagious as war; and that if the Government had yielded to the pressure brought to bear upon them from various quarters we might have found ourselves the moving cause of a general European conflagration. I therefore, for my part, entirely approve and concur in their refusal of what M. Thiers asked. Moreover, I think that such a course as that suggested by the hon. Gentleman, while embarrassing to this country, would be unjust to Germany; for what would be the purport and intent of this Resolution if carried? I heard the other day — almost with apprehension — an Answer given by my right hon. Friend at the head of the Government to the hon. Member for Nottingham, in which, I think, he said that the terms of peace were a matter of watchful concern to the Government of England. Even that was going further, I thought, than was consistent with the view they had adopted; because how was it to be followed up? Did it mean that we were to give unpalatable advice to Prussia? It certainly could not mean that we were to deal in threats; but if we, in concert with other Powers, once take upon ourselves to remonstrate and recommend, we do not know how soon we may be pressed into dictating terms of peace; and I want to know what answer we are likely to get from Count Bismarck if this position should be assumed? Count Bismarck has a very easy answer, which, I am afraid, has not been thoroughly considered. I am, and always have been, as anxious as anyone for peace, and should be very glad to hear that Germany had abandoned her claim to Alsace and Lorraine; but we must look at the matter from the German point of view as well, and what would Count Bismarck say to us, if we were to tell him he must be content with moderate terms of peace? "Who is to define what moderation means?" he would say — "And remember what position we are now occupying. France began the war; France invaded Germany—not the Emperor only, not the Government only; the Chamber, the Press, the populace all cheered on the war; '*A Berlin*' was the cry." My hon. Friend (Mr. A. Herbert) thinks territorial occupation is an immoderate condition of peace; but Count Bismarck may ask in reply—"Who made territorial cession the prize of war?" Was it not France herself? Did she not name the stake? Did not she know that according to all long-standing usage, cession of territory would be the conclusion of the war? Did not both parties go into the war with the acceptance of the condition that the Rhine was to be the prize? And when France herself laid down the stakes shall she not pay the forfeit? But when Count Bismarck first spoke to Jules Favre about the cession of territory, what did Jules Favre say?—"Sir," said he, "do you know you are speaking to a Frenchman?" "Yes," Count Bismarck might have said, "I know that I am speaking to one of that nation that has always coveted the Rhine, and that went to war on purpose to take the Rhine." Count Bismarck says, in one of his despatches—"I have found it impossible to make M. Jules Favre understand that the honour of France is of the same quality as the honour of other nations." And this, Sir, it is that has been fatal to France; she has been the victim of her own delusions. What is the truth? The war was practically concluded at Sedan: and the question is often asked—Why was not peace concluded at Sedan? We are told the other night that the King of Prussia began the war by announcing that he warred against the French Emperor, not against the French people; then, why was not peace made at Sedan? Why did the King of Prussia re-commence the war, and, at that time, against the French people? Because, before he could even speak of peace the Government was changed, and, through the mouths of its two most eminent members, declared the war should go on.

M. Jules Favre's first act was to declare that "not an inch of territory should be ceded nor the stone of a fortress be forfeited;" and M. Gambetta exclaimed—

> "Vanquished as we have been, we will not for one moment entertain conditions of peace until every German soldier has left our country; we will not even talk of peace as long as the soil of France is polluted by a German foot."

I would not say one word in disparagement of a great nation in misfortune. I sympathize with—I commiserate France in her misfortune; but, Sir, I commiserate France most of all that, in her misfortune, she fell into the hands of those two men, who are more responsible for the bloodshed we deplore than any German who has invaded her soil. If France has been humiliated—if she has been devastated—if she has been exhausted—those who are responsible for her condition are the men who deluded her by those vainglorious, bombastic, mendacious proclamations in which they did not themselves believe. Of Germany, I would say that, although I should be glad to see peace concluded without France being too much humiliated, I think we are liable to err greatly if we conclude, as is commonly done, that Germany has shown herself so immeasurably the superior of France that she is safe for all time to come, and may part with those securities which she thinks necessary for her defence; because it is impossible to deny that Germany has had unusual advantages in this war which she can never hope to have again. In the first place, France, anticipating that she would surprise Germany, was surprised herself. Germany had the finest army the world has ever seen, in a perfect state of preparation. The war had been foreseen and prepared for by a statesman of great sagacity, and every movement of the campaign was directed by a military genius unequalled in our time, and, perhaps, not surpassed in any other. But another generation of Germans may not have a statesman such as Bismarck or a general equal to Moltke. If France had had a statesman like Bismarck and a general like Moltke, where would Germany be now? The fortunes of war would, perhaps, have been reversed. The present misfortunes of France are not traceable to the quality of the French troops. Had the generals been changed the march of the French to Berlin might have been as certain as that of the Germans has been to Paris. These are circumstances we must take into account; and Germany from a German point of view has a right to say—"We must have security for the future." I was sorry to hear the right hon. Member for Tamworth (Sir Robert Peel) speak of the unification of Germany as a misfortune to Europe. I take the opposite view. I am one of those who think that Cavour did a great work for Italy, and that Bismarck has done a great work for Germany. The memory of Cavour will be honoured as long as Italy exists; and the name of Bismarck will, in future times, be mentioned with honour throughout Germany and through the world. I myself believe that the unification of Germany is a new guarantee of peace for Europe. Germany has never been an aggressive Power. I am not here to defend the German aggression on Denmark. In this House I went further than any man to press the Government to defend Denmark; but examine the history of all the greatest men, and tell me how many are there whose career is without a blot. I will say nothing of France upon this point; but I insist that if you take the whole history of Germany you must say she has not been an aggressive Power. While, therefore, Sir, I admire the generous spirit which dictated this Resolution, and acknowledge that there could not be found a more fitting mouthpiece for the sentiments of which it is the expression, I do trust my hon. Friend will rest satisfied with the consciousness that he has well discharged the duty he was impelled to undertake, and that he will not put the House in the very false position we should be in if obliged to divide upon his Motion.

MR. G. B. GREGORY said, he thought some of the remarks made in this debate were quite uncalled for; and in particular he protested against the construction the right hon. Member for Tamworth had put upon the departure of Lord Lyons from Paris. Lord Lyons left the city at the earnest solicitations of M. Jules Favre, in order that he might be in full communication with Her Majesty's Government. The position of Mr. Washburne in no degree resembled that held by Lord Lyons, and his conduct could not be dictated by the same considerations. He again protested in the warmest manner against any adverse construction being placed on the departure of Lord Lyons from Paris with the Government of the country to which he was accredited. Lord Lyons was no more capable of deserting his post in a time of danger than his gallant father would have been of deserting his ship.

SIR HENRY LYTTON BULWER said, that the hon. Gentleman who had just sat down had anticipated the few observations he should have wished to make in reference to Lord Lyons. He thought nothing would have been more injudicious than that Lord Lyons, Her Majesty's Ambassador in France, should have remained in Paris when it was absolutely necessary for the transaction of business that he should accompany the other foreign Representatives who were leaving the capital. It was perfectly clear that the Representatives of Switzerland or Brazil might remain in Paris without injuring their Governments; but it was perfectly clear also that nothing would have been more injurious to the interests of the British Government than that Lord Lyons, from any false sense of honour should have remained in Paris when his presence would be far more useful elsewhere. He desired to say a very few words with respect to the special Motion now before the House. He entirely sympathized with the sentiment of his hon. Friend the Member for Nottingham (Mr. A. Herbert); but he could not approve of his Motion. Of two things one was certain—either the Prussian Government meant to act with justice and moderation, in which case we should, only by a sort of indirect menace, place an obstacle in the way of its doing so; or else it meant to act with injustice and exorbitance, in which case it was advisable that they should have the facts before them, and not proceed in the dark upon a mere hypothesis. Moreover, supposing they were to agree to the Motion of his hon. Friend — to whose ability as well as to whose sentiments he begged to pay a merited compliment—what then? Who should decide what would be moderation on the part of Germany?—who should decide what was contrary to the independence of France, or to the security of Europe? Why, the very moment after they had voted unanimously for the Resolution of his hon. Friend, when the case to which he referred was brought before them, they would be found perhaps essentially to disagree. His hon. Friend thought that to take the smallest portion of territory from France would be an act of injustice. There were, on the other hand, many who thought that, after Germany had been exposed to a war which was unjustly brought upon her, even were she to exact Alsace and Lorraine, she would only be repaid for the suffering she had undergone. He thought, for himself, if Germany would be satisfied with the possession of Alsace, and let France retain Metz, that would be a very fair arrangement. Well, with all these differences of opinion, would it not be absurd for them to make a declaration in words which signified nothing clear in ideas? Besides, what would this declaration result in? He confessed, indeed, in reading the Motion of his hon. Friend he was somewhat reminded of a very old story told of one of Mr. Speaker's predecessors. One of those inquisitive foreigners who were anxious to inquire into our institutions asked the Speaker of the House of Commons of that time what he would do if some refractory Member persisted on speaking out of his turn. The Speaker said "I would call him to order." "Well," rejoined the foreigner, "but supposing he did not attend to your admonition, what would you do then?" "Why," answered the Speaker, "I would name him." "But," continued the foreigner, "supposing he did not attend even to that very solemn warning, what would you do then?" "God Almighty only knows!" exclaimed the Speaker; "I am sure I do not." Well, what were we to do now. Supposing Germany was to do something exceedingly unjust, something that would deprive France of her independence and menace the security of Europe, and we had expostulated and she had disregarded our expostulations—what was to follow? Would it be enough to say, as this Resolution says, we did not approve of such conduct? On the other hand, if she were to act with scruple and generosity, was it worth while to have said anything? It seemed to him that this Motion said too little or too much. If we were to condemn, let us know what we were to condemn; if we were to praise, let us know what we were to praise. Our words come too late to prevent anything, too soon to judge anything. We could not be always talking, and he thought it better, therefore, that we should only talk when we could do so with reason or with effect. In conclusion, he trusted his hon. Friend would be satisfied with the discussion he had originated, and would not press his Motion further.

SIR HENRY HOARE thought that any French patriot who had heard the expressions of sympathy with their country which had fallen from the noble Lord the Member for Cambridgeshire (Viscount Royston), and the right hon. Member for Liskeard (Mr. Horsman), must have exclaimed—"Save us from our friends!" The question before the House was, whether it was the duty, and, he might add, the interest, of that assembly to plead the cause of France, when France was too prostrate to say anything for herself. A French gentleman of good position, well known in English circles, and not responsible in any way for the sad position in which his country now found itself, remarked to him the other day—"We must accept the terms of peace, whatever they may be, for we have nothing left—neither armies, nor generals, nor munitions, nor finances. We trust to your country and to Europe. We trust you will see that it is for your interest and the interest of Europe that you should leave to us at least some semblance of independence." It had been urged that they should let this question alone, because France, being prostrate, could do nothing for herself, and they would only anger the Prussians by saying anything on her behalf. He had also heard it said that, because France threw herself at the throat of Prussia, she must meet in silence her condign punishment, and we must hold our hands. But then came the question—Had we any moral influence, and could we exert our moral influence when we were determined to back it up by nothing else? He would remind the Prime Minister that the loudest cheers which greeted his policy of non-intervention came from the Benches behind him, where sat the representatives of the peace-at-any-price policy—those who had declared, in meetings at Manchester and other places, that under no circumstances, except the invasion of this country, would they go to war. ["No!"] Yes; and one Member behind him had already proposed to reduce the Army by the 20,000 men whom the Government had raised to increase it. Judging those Gentlemen by their actions and their words, they thought the foreign policy of this country should be one of isolation, weakness, and "effacement." ["No!"] He held that it was our interest to endeavour, by moral influence, or by any means in our power that could be exerted beneficially, to secure for France some decent terms of peace. In August last he predicted in that House that the rupture of the alliance with France would put them in this position—that they would have Russia in Constantinople, and the *Alabama* claims again cropping up. The position of England in Europe at the present was as though she had had a rupture with France, for France was annihilated and could not act as her ally; and we found that Russia had withdrawn from the Treaty of Paris; that Prussia immediately afterwards gave notice that she no longer held herself bound by the Treaty of Luxemburg, and he thought there existed strong reason to believe that these two Powers had come to an understanding for the future partition of Europe when favourable circumstances arrived. It had been the policy of this country to protect Belgium, and to suspect that the only danger impending over her came from France; but, in his opinion, danger was as imminent from united Germany when ruled by a despotic Power as it had ever been from France, where there had always been a strong section of the people willing to stand up in defence of constitutional government. Now that Germany was united she would require a large seaboard, and did not this threaten danger to Holland and the Colony of Heligoland? Some people contended that it was not to the advantage of England to preserve Heligoland; but she could not tamely give up except by general consent anything she held by the faith of a treaty. What he contended was, that Her Majesty's Government ought to use moral influence if they possessed it, and if they saw terms proposed which would, if accepted, have the effect of annihilating France, to consult every class in the community as to the course to be pursued, instead of depending simply on the representatives of the easy-going classes who defend the policy of peace-at-any-price, maintaining that cotton is king, and that trade and commerce are the only things in the world worthy of protection. He felt strongly on this question, because he had himself seen the miseries which France had suffered in consequence of the war, and because he had helped the party of which he just spoke to settle many questions in which the interests of the people generally were concerned. There were many hon. Members in the House who were equally in favour of protecting the rights of the working classes with the representatives of "peace-at-any-price," but who would not help those representatives in their endeavours to disestablish England and destroy its proper influence in the Councils of Europe? He was morally convinced that at the present moment England stood in a very critical position. With France annihilated and Germany consolidated England would have to do battle within the next ten years without a single ally for her liberal institutions; and she would have also to fight for the independence of Turkey, of Belgium, of Holland, and of the Scandinavian nations. Of course, great doubt might be thrown on the conceptions or belief of any Member of the House; but such he held to be the peril before this country. Therefore Her Majesty's Ministers ought, in his opinion, to use every means at their command to save France from her present position; for, by so doing, they would place this country in such a position that she would not have to cast her eyes over Europe for help in vain in her own day of trouble and in the time of European conflagration.

MR. BAILLIE COCHRANE said, the right hon. Baronet the Member for Tamworth (Sir Henry Bulwer) had asked who was to decide as to what were moderate terms of peace?—and it must be confessed that abstractedly the question was one difficult to answer, but a reference to historical precedents might be of assistance. Let them look back to the pages of history, and see what was the course pursued in former days after wars more severe and terrible than the one they hoped had now come to an end. In 1814, when the Emperor Alexander entered Paris, he said—

> "It is not against the French nation I have made war, but against Napoleon. He has carried fire and sword through our country; he has devastated, he has penetrated to the very heart of my empire, sacrificed my people, burnt my cities. The justice of God has brought me to-day to the foot of those ramparts whence the enemy took their departure, and now my only object will be to reconcile France with other nations."

Again, M. Talleyrand, supported by the Duke of Wellington, said—

> "The Sovereigns will respect the integrity of France, such as it was. They will do more, for they hold to the opinion that it is essential to the happiness of Europe that France should be great and strong."

These extracts were his answer to the question of the right hon. Baronet. He did not wish to discuss the question from the French or German point of view, but he held with the right hon. Baronet the senior Member for Tamworth (Sir Robert Peel) that they should regard it from that point of view which comprehended the interests of England; and, holding that opinion, he thought the language of M. Talleyrand laid down the true principle on which peace should be made on the present occasion. If Prussia crushed and humbled France too much, it would lay the basis of great danger in the future. A very clever pamphleteer recently wrote—

> "Will it not be advisable to accept a peace with conditions however severe, but which, while they leave us conquered, leave us full of energy and resource prepared to take our revenge at the very first opportunity?"

This would undoubtedly result if France were too hard pressed now, instead of having offered to her terms of peace which she could accept with honour. With regard to the question of indemnity, he could not imagine that any great nation like Germany would make its victory the ground for utterly crushing a country with which it had been at war, by demanding a money indemnity so enormous as to absorb all the wealth of the country. With regard to the question of ceding territory to Germany, he thought that the cession of Alsace and Lorraine would leave the germ of a war which would certainly break out between the two countries in the future. And then he could not see on what plea Alsace and Lorraine were alone demanded, and why the proposed cession should not extend, if there must be a cession, to the whole of Northern France. In 1815 we did not allow territory to be taken from France. The cession of Lorraine to France was made some 130 years ago, when Fleury was Minister, and, therefore, he thought it absurd to regard the two provinces as being German. Again, another feature in the case which strengthened the right of France to Alsace and Lorraine, was that after the cession she paid a large annual sum to the ceding Power. The proposition before the House was, in his opinion, a very moderate one, and he did not think it at all unreasonable to ask for its acceptance by the Government. The despatches of Earl Granville, doubtless, contained expressions indicative of the natural courtesy of his mind:—but it was shown, and he regretted it, by answers to Questions in this House bearing on the subject of the war and by the despatches laid on the Table of the House that Her Majesty's Government were opposed to intervention of any kind—in fact, the Blue-book was pervaded by the idea—"Let them fight it out," notwithstanding that others of the neutral Powers were prepared to assist England in the work of bringing about an honourable peace. The commonest humanity would lead a man to prevent one person ill-using another in the street; and yet when Government was called upon to take some action in the present difficulty, they seemed possessed by the idea that any action on their part would do more harm than good. But he (Mr. Cochrane), for one, altogether failed to see what harm could arise from Her Majesty's Government taking the line of action laid down in the proposition now before the House. But there was a stronger point for interference than that—we had interfered; and how? Earl Granville wrote to the Turkish Ambassador to say that we insisted that neither of the two Powers between whom such interchange of letters was made should depart from its neutrality in the present war, without a previous communication of ideas and an announcement to one another of such change of policy with regard to neutrality. That was a mode of interference that had never been heard of before. Similar notes were addressed to Austria, Portugal, Spain, Greece, the Hague, Belgium, and Sweden. Even if one of the Powers had an opportunity of interfering it could not interfere at all, because Earl Granville took upon himself to tie them all up. They were not to move till he moved, and then he said—"I will not move at all." He thought that was a most questionable thing for Earl Granville to have done. His reason for rising was simply to urge that it was important to the interests of this country that our Government should now express some interest in the terms of peace. Count Bismarck said the other day—

> "For the future, people will not ask what is the opinion of Europe, but what is the opinion of Prussia."

It is not a pleasant prospect for us to have to decide on the policy of Count Bismarck. [MR. GLADSTONE: I was not aware that such an expression had fallen from Count Bismarck. Where does it appear that he said so?] It would be found in a despatch which he should, no doubt, be able to discover, and would hand to the right hon. Gentleman. Were we not interested in the question of Germany becoming such a great Power? Suppose that Germany should interfere with the neutrality of Belgium? If we were not interested in this question, why had it been proposed that our Army should be increased? Why should we add three millions to our military expenses? This showed that the views of the Government had changed, and that they did not feel so secure as they had done. We might increase our Army as much as we pleased, but the real security of this country really was in its high moral standing, in its possessing the confidence of foreign countries, and the perception that it was always actuated by the feelings of justice, humanity, and dignity.

MR. MUNTZ said, that, referring to an observation that had been made with regard to the magnanimity of the Emperor Alexander, he wished to mention that he struck away from France 8,000,000 of people, of Belgium and other provinces, who had been French for years, and that he claimed to take and kept to this day the whole of Poland, with the exception of the Grand Duchy of Posen and the part of Galicia now belonging to Austria; and he governed Poland with a ruthless policy such as was scarcely known in the annals of the world. As to the question immediately before the House, he thought the hon. Member had brought forward a Resolution which indicated rather what we should not than what we should do. The right hon. Baronet the Member for Tamworth (Sir Robert Peel) found fault with the Government for everything they had done. Now he (Mr. Muntz) was of a very different opinion. What were the facts? Before the commencement of the war, after the Prince of Hohenzollern had withdrawn his candidature, Earl Granville did everything in his power to induce the French Emperor to abstain from declaring war. The answer he got was one of ordinary courtesy and nothing further. After the first reverse of the French another application was made; and we were told to mind our own business—that France wanted no mediator. After the extraordinary surrender of Sedan and the dethronement of the Emperor it was perfectly true that M. Jules Favre did talk of peace—but upon what terms? He said that the Republic willed peace, but that they would never surrender one inch of their territory or one stone of their fortresses — that there should be no peace while a single foreigner remained in France, or her soil was polluted by a single German foot. Of course, Earl Granville acted very properly in stating that as long as France maintained that position England could not interfere. M. Thiers made pretty much the same declaration, for he said when a soil had once become French it remained French for ever. His position was that France had a right to make war for conquest, and if defeated retire without loss, for French soil was inviolable. What would France have done if she had been successful in this war? In that event the country on the left bank of the Rhine would have been annexed to France, and no one in France would have cried out against the injustice of doing it. M. Thiers, in his *Consulate and the Empire,* said when the whole left bank of the Rhine had been annexed to France, that Germany began war against France — which by-the-by was not true—and that if a nation which declared war lost its territory, no one had a right to complain. How, with this opinion, could he now complain of what had happened to his own country? Why were the Paris Forts built? To cover an attack, which at the time was actually intended to be made on Germany, and which was merely put off in consequence of the Quadruple Alliance. And these forts, that were built for the purpose of aggression on a neighbouring people, had proved to be instruments of misery and horror to the French. Then, it was not for them to complain. The hon. Gentleman (Mr. A. Herbert) found fault with Her Majesty's Government. He (Mr. Muntz) did not profess always to vote for the Government, but, having read carefully the Blue Book on the subject, he did not know what better course they could have adopted than that which they did adopt. He thought they had acted with wonderful discretion. They had kept us free from all reproach—from all the troubles of war; and neither party could find fault with us hereafter, for they could not find fault with us now—which was the best proof of the perfect neutrality of Her Majesty's Government. Suppose, when war was first threatening, the English Government had said to the Emperor—"We will not allow this war of aggression on a neighbouring Power, and if you persist you must take the consequences." That Mr. Pitt would have said so 70 years ago, under the same circumstances, he thought very likely. But if we had tried that game it is just possible that, with the aid of Italy and Austria, we might have been successful in preventing war. It was possible. But if we had what would have been the result? The eternal hatred of the French people. On the other hand, if we had not been successful we should have been involved in a war of which we might never see the end, and all from a Quixotic desire to meddle with the affairs of others. But if the right hon. Gentleman at the head of the Government had adopted that policy he had reason to believe that the British people—or even that House—would not have supported him; for the feelings of the House and the nation were very different now to what they were in the time of Mr. Pitt; there was no longer that hatred of the French people which prevailed at that time, for both nations had learnt to live together as friends instead of being continually at loggerheads. Coming now to another question, it appeared rather harsh to say anything in favour of one nation taking part of the territory of another; but before the French people made good their claim to retain Alsace and Lorraine against the Prussian demand to take them away let them come into court with clean hands—let them give up Savoy and Nice. Within these ten days there had been a revolt against them in Nice which had to be put down by force. It is true there had been a *plébiscite* for Savoy and Nice, which showed a great unanimity in favour of the French; but when it was about to be taken 40,000 troops were were marched into the territory, the ballot boxes were made safe, and everything was done to secure a majority. Therefore, unless the French Republic, having come by those provinces by accident, showed now that it was willing to give them up it would have no claim itself not to be treated as a conquered country. We had been told that Italy and Austria had offered their assistance. But in what way? By moral influence — to which neither the one belligerent nor the other would listen. Suppose our moral influence came to nothing, were we to bark without biting? Nothing could discredit a nation more. We did that in the case of Denmark, and he could conscientiously say that for some time after he was ashamed to show his face abroad, because it was said — "You English threaten, but dare nothing." If we had been prepared to interfere we must also have been prepared to go to war with such assistance as we could get from Austria and Italy. But with the immense armies on the side both of the French and Prussians nothing short of 150,000 men on our part would have been of the slightest avail. Where were they to come from? We might turn out 40,000 or 50,000 men, but it would take three or four years before we could put into the field such a force as would make an impression either on the French or Prussian armies. The policy of England of late years had been not to intermeddle in the affairs of Continental States. Therefore, considering that Her Majesty's Government had done all they could, that any interference would only produce harm, and, perhaps, make enemies on both sides, he hoped the House would see the necessity of rejecting the Resolution, which would merely encourage false hopes on the part of the French people which could not be realized, and prevent them from making peace, so essential to their own welfare and the tranquillity of Europe.

MR. CORRANCE thought that the present discussion would be received by the Government with some satisfaction, because up to this time it seemed to him that the voice of the country on this war had been but feebly represented in Parliament. Throughout the whole of this memorable winter the English people, in their homes and families, had almost represented the internecine war which was then raging between Prussia and France, and they naturally expected that when Parliament met it would give some utterance to their feelings. But what was the result? When the House met there were only two speeches of any importance made. No doubt they were admirable speeches, and effectually sufficient for the occasion. But wherever he went he heard nothing but expressions of disappointment at the silence of the British Parliament on a subject which the whole country had so much at heart. From the peculiar position in which the Government were placed at the time he knew what a difficult task it was for them to shape a policy. In the admirable speech of the hon. Gentleman opposite (Mr. A. Herbert) the feelings of the people generally were well represented; the House, he thought, was much indebted to him for the opportunity now afforded to the representatives of the people for the expression of their opinions. This was a question of the attitude and conduct of the British Government. The attitude taken by the people had been noble. They had filled up the gap which they felt had existed in the policy of the Government by unexampled contributions. They could do no more—they would do no less. It appeared to him that this debate had diverged rather widely from the issue that had been submitted to the House. The discussion had been turned into one relating to the comparative merits of Prussia and France in commencing this war. Some hon. Members were disposed to throw all the blame upon France, whilst others were as strongly censured the ambition of Prussia. He should candidly admit that the attitude of France for many years past had been anything but satisfactory, and their policy, a policy of aggression. But whilst confessing that fact, what were they to say of Prussia? Was Prussia so lamb-like and peaceful-minded during the last few years? Was she so essentially German as some persons had represented? He doubted it. He had had some acquaintance with Germany, having resided there many years. He knew that the great German people were both intellectual and peaceable; but he believed the very contrary to be true of the Prussians. The right hon. Member for Liskeard (Mr. Horsman) said that Prussia was non-aggressive. Now, he should like to know in what sense could the hon. Gentleman say that Prussia was non-aggressive? Was she not a partner in the partition of Poland? Was she not a partner in the conspiracy against Schleswig-Holstein? And was she not at the present moment a determined candidate for the possession of Alsace and Lorraine? Was that, he asked, a policy of non-aggression? Added to that, when they found that she set herself up as a great military dynasty—was not that a policy in utter opposition to the principles of the great Liberal party of this country? What had been the career of Prussia since 1848? It had been one in direct antagonism to the constitutionalism of Europe and immediately to the constitution of Frankfort. Tracing the history of Prussia upwards from 1848 they found its policy one of aggression. In 1862 and 1866 the intentions of Count Bismarck were admittedly to stifle the freedom of discussion in the Prussian Chambers, and for four successive years he levied taxes on the people without the assent of the Chambers. Did such a policy as that meet with the assent of the great Liberal party of England? Nor did it end there. As soon as the unprovoked war with Denmark was over, Count Bismarck turned his attention to the great war with Austria, which ended at Sadowa. Was that a policy of non-aggression? Was that a policy to be approved of by the great Liberal party of England? Nothing astonished him more than the attitude of the great Liberal party in this case. But it was the same in the days of the first Napoleon. Mr. Fox supported the policy of Napoleon until he had conquered the whole of Europe, and the Liberals of the present day were in danger of falling into the same error with regard to Prussia. Great excuses were, no doubt to be made for any short-comings on the part of Her Majesty's Government. They came into office to represent a distinct policy of non-intervention. There was scarcely a Member of that Government who did not come in with that policy written upon his flag-staff. Well, what did that policy mean? It meant this—that both Parliament and the country were utterly disgusted with the former conduct of our foreign affairs—with our conduct with regard to Denmark—with our protocols in regard to Poland; and there was a general understanding that unless we intended to back up our representations by military force, the only sound policy was one of non-intervention. Well, that, at all events, was intelligible. But he wanted to know whether the Government would consider the policy which had in view the suppression of France one that the people of England would tolerate? Count Bismarck had suppressed a portion of Denmark, because he found it too Liberal in its principles. He had also suppressed the Diet of Frankfort because it was too Liberal. Was it likely that it would continue to tolerate Switzerland and Holland? He asked whether it was not wise and politic on the part of Her Majesty's Government to use all their endeavours in time to avert the catastrophe that seemed impending over Europe generally? He did not mean to express any blame of the right hon. Gentleman and his Colleagues—indeed, it seemed to him impossible that they could have interfered effectually between the two belligerents whilst they were engaged in such deadly hostilities against each other; but now that there was a pause in the operations of the war—now that this country was fully awake to the dreadful horrors which had resulted from it—now that France was prepared to make mighty sacrifices in order to obtain peace—he thought that Her Majesty's Ministers could find themselves in a position to vindicate what he conceived to be the true policy of this country.

Mr. W. M. TORRENS* said, he had listened with great interest to the speeches which had been made for and against the Motion of his hon. Friend, and he would invite the House to consider fairly its object and aim, and whether the time for useful intercession could, with justice, be said to have elapsed. He used the word "intercession" and not "intervention," for there was the greatest possible difference between the two expressions, as well as between the things which they were intended to denote. His hon. Friend had no idea of urging on the House the expediency of having recourse to a policy of intervention. He was not a man of such levity of speech as to advocate that course, but what he and his hon. Friend desired was, that the Government should consider whether, in the present dreadful position of an old ally, which was in such a state of exhaustion that it could not fairly treat with the victor we should not be doing an act advantageous to ourselves and to Europe if we could bring our influence to bear as intercessors for the independence of France. It might be asked—"How were we to judge what was consistent with the independence of France?" History answered that question. When this country, after the termination of the most fearful struggle in which she had ever been engaged, joined the Representatives of all the European States to decide the settlement of 1815, was not the vital point of discussion that which was consistent or inconsistent with the independence of France, and was not the whole moral influence of England brought to bear with the view of maintaining the independence of a nation which had just inflicted upon us terrible wounds? What had been the result? Fifty-five years of peace—an eternity in politics. What he asked was an enduring alliance, if that was not? He was desirous, therefore, to receive from the Government the assurance that they were engaged in the endeavour of fairly, justly, and reasonably bringing the interests of this country to bear on the present state of affairs, not so much for the sake of France, or for the sake of Germany, as for the sake of the one thing which was so well worth obtaining —a permanent peace in Europe. Now, permanent peace, unless the terms imposed by Prussia in some degree recommended themselves to reasonable men, in France was a hopeless dream. It was not a truce that either France or this country required. It was a lasting peace. France required rest. She might be driven mad, as an individual might be driven mad by oppression. She had been driven mad once before, and all Europe suffered in consequence. It was to be hoped that such a state of things would never occur again for want of some mediator who would procure for her lenient terms. It was not for the benefit of Germany herself that she should not show lenity. There might be a war party in that country for all he knew; but the tillers of the soil and the workers at the loom in Germany had no interest in imposing terms on France which Frenchmen must ever regard with a sense of humiliation. It was the duty of the Government to decide what should be regarded as fit and moderate terms of peace; and it was of moment to us that France should start afresh not dreaming of revenge, but that she should be restored to her proper place in the assembly of nations. A friend of his who left the French capital but a few hours ago confirmed what he had heard from others, that over her melancholy joy at the prospect of peace there crept a chill of terror unspeakable at the apprehension of the victors insisting on a triumphal march along the Boulevards. No reasoning or precaution could insure that perilous cavalcade against interruption by some desperate man whose home had been made desolate, and who thirsted madly for revenge. He envied not the brain or heart that did not sicken at the contemplation of the possible consequences, or who would not rejoice in bearing a part, ever so small, in averting them. But how could that be done? Only, so far as he knew, by the intercession, not intervention, of the neutral Powers, whose good opinion, after all, the victorious monarch could but desire to win. Surely, we had been abstinent enough in tendering our good offices. Officially, we had not muttered between our teeth a hint of interference. Should it be said that while the safety of the fairest city in the world and 2,000,000 people was at stake, we had not the pluck to ask if they might be spared a provocation which any madman might convert into wholesale carnage? It was said that it was too late to interpose, as peace was certain. But what sort of peace? Physically, France had been brought so low that at the present moment she was unable to hold out for terms such as reasonable men could expect her to abide by, or such as England had any interest in seeing her compelled to endure. She had, indeed, been vanquished by superior foresight, preparedness, and strategy; but could anyone believe that she was dead. Standing by the prostrate and powerless form of the country he so fondly loved, and of which he used to be so proud, a patriot statesman of France might well exclaim—

> "Thou art not conquered; beauty's ensign yet
> Is crimson in thy lip, and in thy cheek,
> And death's pale flag is not advanced there."

She will awake from her trance which is not either sleep or death; she will arise ere long. But ought not we and every other neighbouring people, for our own sake as for hers, pray devoutly that her awaking may be peaceful, and not with the frantic start of one who burns for revenge; that her closing wounds may not be cankered by the weight of any lingering chain, and that we may see her resume her old place in the society of nations, sitting clothed, and in her right mind. It was not the fashion, upon his side of the House, to speak of Count Bismarck as he was about to do; but his estimate of the character of that eminent person was very different from what so often was confidently launched without sufficient information. A man of Count Bismarck's ambition—a man who had performed such transcendent work in the execution of his aims—was not a man upon whom suggestions of magnanimity were likely to be thrown away. It was hardly conceivable that he should be the man from whom urgent and exacting counsels always proceeded. There was a great work yet before him, and he probably desired the war as heartily at an end as anybody else. He was not certain that if Count Bismarck had had his way he would not have wished the war to finish earlier. For, to the attainment of the pitch of his ambition, and to enable him to carve upon his tomb the inscription, *Exegi monumentum ære perennius*, a season of peace and prosperity for Germany was indispensable. For these reasons he believed that representations properly made in the name of the Queen and the people of this country would not be thrown away upon a man whose talents, prudence, circumspection, and foresight were probably unrivalled in the present day. Even if he knew beforehand that such representations were certain to fail, he should still think it right to make them. Side by side with the French people it would still be our lot to live, whether they were ground to the earth or allowed to hold up their heads again as free and industrious men. Was it not something to be able to say, even if Frenchmen still were forced to carry about some portion of their bonds, that in the hour of their extremity we did all we could for them? It was always worth while to be right; and it would be a misfortune which none of us could live long enough to forget, or would ever cease to regret, if, through want of intercession on our part, exorbitant terms were imposed upon France. He had listened with surprise to the statement by an hon. Member that the reason why Earl Granville had declared in his despatch on the 7th of September, that he would not interfere or invite concerted action upon the part of neutrals was because of the ill-starred phrase which escaped from M. Jules Favre. Earl Granville had declined to interpose before that expression was used. Intercession might have been tried and failed; but why not try again? No harm could come of it. Had not our Government been forbearing enough? No one who read the Blue Book as carefully as he had done could say that the Government had risked anything on the part of this country, or suffered themselves to stray from their path through over-zealous attempts at mediation. The Blue Book he could only compare to one of the stone ditches in the West of Ireland, which looked in the distance like solid walls, but when viewed nearer were found to consist merely of stones piled up without mortar or cohesion; the only difference being that you could see through a stone ditch, but this published correspondence could not be seen through, for it embodied merely the darkness of despair. He had never been an advocate or an admirer of a swaggering policy; but he believed that we might have done much, at the time when the second war was beginning, to strengthen the hands of the peaceable and moderate party in the councils of the Prussian King. Had we then said—"If you persist in this war we shall withdraw our Minister, because we wash our hands of the innocent blood that is about to be shed," one of the most eminent Frenchmen, with whom he had the honour of being acquainted, had told him that not only would all France have been perfectly satisfied, but that a fire would have been kindled in Western Europe which even the winner of great battles and the taker of great cities could not have ventured to disregard. What had been the consequences of our inaction? In the course of a very few weeks the Treaty of 1856 had been torn up; the Treaty of Luxemburg had been thrown into the fire; and a fresh insult had been offered to us on the other side of the Atlantic. Our non-interference had only succeeded in lowering our *prestigé*. But the urgent and immediate question which they had now to consider was this—how could France, Germany, England, Belgium, and Italy be saved from the danger which would menace them if such terms were imposed on France as aggravated and kept alive the spirit of revenge in that country? No matter what Government might be set up — Bourbonist, Orleanist, Bonapartist—if excessive terms were imposed on France, in six months after the wounds of the country were healed, that Government would be swept away if it did not give vent to the national sentiment. Nor would this movement be confined to their own soil. Frenchmen would be at work in every discontented country in the world; and great changes had occurred in Europe since last discontent was actively fomented. Steam and telegraphy now-a-days were wonderful instruments in the hands of demagogues, and there was not a country on the Continent where the elements of disturbance were not still smouldering. Apply to those elements the momentum of rankling discontent in France, and who could tell the consequences?

MR. M. T. BASS said, he had no fault to find with the Motion, nor did he think it ill-timed. On the contrary, it was at the moment when the terms of peace were being proposed that our own views could be expressed with most effect; for once the terms had been actually made known, it would be difficult for those who imposed them to yield any point. The Motion of the hon. Member (Mr. A. Herbert), accordingly, was entirely consistent with his high principles of humanity and generous sentiments. For his own part, he had a strong impression that Her Majesty's Government had been too timid in this matter. They had been afraid of doing anything that was likely to give offence to one party or the other. But had we escaped doing so? Had not Prussia expressed her strong disapprobation of our course during the war? and were we not even threatened with the resentment of Germany—a menace which he confessed did not fill him with any very great alarm? As to interference, had not the noble Lord who conducted our Foreign Affairs, at the instance of Prussia questioned Austria as to certain steps which she was about to take; had he not interfered with regard to Denmark; had he not made representations to Italy? If so, it was plain that we had interfered before, and once at the instance of Prussia, and there was nothing to prevent us from expressing our opinion now, when Prussia held back. The right hon. Gentleman at the head of the Government had himself laid down the doctrine that there were conditions in which the neutral Powers were not only entitled, but bound to express their opinions upon any matter threatening the general tranquillity and welfare of Europe. That was his own clear conviction. He could conceive France being subdued, subjugated—governed even by Prussia; but he did not believe that if France were partitioned she would ever remain at peace with the rest of the world. It was therefore as much in the interests of Prussia as of the other nations of Europe, that our Government should express to her, in terms consistent with amity, that the more moderation she showed the more satisfactory would be the results. To say that Prussia had anything to fear from France in the future appeared to him to be a paradox and a contradiction in itself. The present war, in his opinion, was due rather to the desire for the unification of Germany than to a wish to get possession of the Rhine provinces; and France had been afraid of the unity of Germany, which had now been accomplished. It appeared to him monstrous, therefore, to assert that Prussia could not be safe without taking provinces from France. It was sometimes urged that to take Alsace and Lorraine was but reasonable; but, if so, why should not Prussia also take Champagne? Supposing such a proposition were to be made, would the right hon. Gentleman and his Government refrain from expressing their disapprobation of such an exaction? To talk about what France would have done was now quite out of date. No doubt, France did very wrong; but if France were compared with Prussia, there really was not a pin to choose between them. It was the old song over again — "Brother, brother, we are both in the wrong." They had both been the great robbers of Europe. From the time of the Great Frederick, who was the greatest robber that ever existed, Prussia had been plundering her neighbours. He hoped the Government would make such an expression of their desire to obtain moderate terms of peace as would induce the hon. Gentleman (Mr. A. Herbert) to withdraw his Motion.

Mr. GLADSTONE: Sir, it is impossible to be surprised that the stifled emotion which every man carries in his breast with reference to the engrossing subject of the present day should have found vent in the debate of this evening, and that the debate should have been continued, not so much with any set purpose, as by the spontaneous action of the hon. Members who have taken part in it. On the part of the Government, as far as the past action of the Government is concerned, I must say I think that with hardly an exception we have nothing to complain of with regard to the manner in which our conduct has been judged by the House. But there is one exception which I cannot refrain from noticing. The noble Lord the Member for the county of Cambridge (Viscount Royston) has rendered his testimony in the handsomest terms to the spirit by which the Government were animated. On our own side my hon. Friend the Member for Rochester (Mr. Goldsmid), in a very able speech, made a defence of the Government which I am perfectly content, speaking generally, to abide by; but I am bound to say that, irrespective of coincidence with particular opinions which cannot, of course, be universally asserted where so great a variety of opinions has been expressed, I thank the House for the temper in which our actions and intentions have been judged. And it is but just that I should refer to my hon. Friend the Member for Oxfordshire (Mr. Cartwright), who addressed us to-night, for the first time, with that knowledge, ability, and judgment which, from my previous knowledge of him, I fully expected he would bring to bear on any question of this class. And now let me refer for a moment to the speech of my right hon. Friend the Member for Tamworth (Sir Robert Peel), the only speech delivered in this debate which could be generally described as a speech intended to assail the policy and proceedings of the Government. I will not cope with his general assertions, nor will I object to his criticisms upon the language which he states I used on more than one occasion when I said we had "ventured" to do this and we had "ventured" to do that. I do not find that the reports of my speeches in the newspapers sustain the quotations made by my right hon. Friend; but on several occasions I did use that expression, and it appears to me to be a fitting and proper form of expression for a Minister to employ in describing the conduct of his Government in cases where it was not acting in strict right, but expressing opinions on the conduct of others which they were perfectly competent to determine for themselves. I "venture" to assure my right hon. Friend that moderate and deferential language on all occasions, whether among States or individuals, is in itself becoming, and will be found, on the whole, to answer best. But I admit my right hon. Friend did appear to make one point by a reference to the book of despatches on the Table. His charge was that we wrapped ourselves in selfish isolation, and so far he fairly grappled with an expression I used when I said that was the very thing we had forborne to do. He quoted Earl Granville's answer to M. Thiers that "we must judge what was best for ourselves." He left the House under the impression that that was the substance of Earl Granville's reply; and, indeed, no inconsiderable presumption would thence arise that we had taken our own interests for our compass and had paid regard to nothing else. But how does the matter stand? My right hon. Friend ridiculed me a little for being desirous to follow the quotations which he made. Well, my primary motive for that anxiety was respect for the Gentleman who was speaking, because, if it be my duty to render an account of the conduct of the Government, it is also my duty to answer, as fully as I can, any criticism which may be made upon it. In this instance I find reference to the book to be extremely useful, for I find that the representation made by M. Thiers consisted of two parts, one of which was an appeal to us to show our sense of the long alliance between England and France, and the other was that we ought to assert our own place in the Councils of Europe. What did Earl Granville do with reference to the latter part of that appeal? He said, and with the utmost propriety, that "of course we must judge what was best for ourselves." It was in reference to that portion of the appeal of M. Thiers that Earl Granville asserted we ourselves must be responsible. My hon. Friend who brought forward this Motion did so in a speech that was governed by a spirit which made it obvious that motives of humanity and philanthropy dominating over everything else constituted the sole governing principle which led him to submit the Motion to the consideration of the House. My hon. Friend admitted, however—and it was an important admission for him to make—that there was in this book a despatch which, as he said, is in total and utter discord with the rest of the despatches. He quoted a letter of the 16th of October, wherein Earl Granville instructs the British Minister at St. Petersburg confidentially to inquire of Prince Gortchakoff, whether in his opinion it would be possible for England and Russia to come generally to an understanding between themselves as to the terms on which peace might be made, and if his answer should be in the affirmative on that point to further ask him whether he considered there was any possibility of putting a stop to the siege of Paris, if England and Russia, jointly with other neutral Powers, were to make an appeal to Prussia on the one hand, and to recommend moderation to the French Government on the other? The substance of that despatch was transmitted by telegraph to the British Minister at St. Petersburg; who, on the 18th, replied that he had seen Prince Gortchakoff, and that his Excellency had declared, on the part of the Russian Government, that any agreement between the neutral Powers would prove to be a barren and unpractical measure. This refusal on the part of the Russian Government, at that date, stands on record. Now, my hon. Friend cannot fail to see that this was a fact of the utmost importance. My hon. Friend should also bear in mind that the refusal on the part of the Government of Russia was at no long interval followed by the Note of Prince Gortchakoff, relating to the Treaty of 1856. My hon. Friend will at once perceive that, so far from this letter being out of harmony with the spirit of the book, it was an indication of a sincere and anxious intention to act prudently within certain limits, in the hope that an opportunity would be afforded for accomplishing a work of moderation, of justice, and of peace; and that it was only the untoward manner in which it was met, and the yet more untoward circumstances by which at that early date it was followed, that precluded my noble Friend from further developing the spirit and temper of which he had thus given an indication. One word I must say, though the subject has already been most becomingly noticed by my right hon. Friend the junior Member for Tamworth (Sir Henry Bulwer). I greatly regretted the reference to Lord Lyons. The language used was "the ungenerous and unmanly flight of Lord Lyons from Paris." In truth, however, if the flight of Lord Lyons is to be censured, it was not ungenerous or unmanly, for he acted under the direct injunctions of the Government at home, and Lord Lyons can in no sense be held responsible for it. I want to know what would have been our wisdom and prudence, if at the time when the iron circle of investment was about to close round Paris, we had instructed Lord Lyons to remain there, and had made ourselves dependent for our communications with our principal and most trusted agent in France upon the chances of passing through the Prussian lines, and of the replies also passing through those lines, so that three, five, ten, or more days would have been occupied in the passage of communications? It is idle to refer to the case of the Minister of the United States; he was most useful, and performed a most honourable and advantageous part by remaining; but his position was entirely different, because the United States acted upon its traditional policy, wholly avoiding not the general interest of humanity, but that kind of position in regard to an European war which this country has never yet foregone. My right hon. Friend (Sir Robert Peel) seems to think that the primary duty of an Ambassador in Paris is to take care of British subjects resident in Paris; but there cannot be a greater mistake — his primary duty is to take care of the interests of his country; it is a collateral and secondary duty to do all he can for those English people who may have occasion to reside in Paris: but that was not an occasion for any to remain in Paris who could get out of it. My right hon. Friend says that 1,500 or 2,000 English remained in Paris during the siege in its later stage. I can only say that his information is entirely at variance with ours. Nor was Paris left without an English Representative when Lord Lyons came away, because an inferior member of the Embassy remained to discharge those duties on behalf of British subjects which my right hon. Friend supposes were left unattended to. I will not dwell on the general objections which the

Mover of the Resolution has taken to the conduct of the Government on account of its negative and neutral character. The question is, what my hon. Friend shall do and what the House shall do with respect to the Resolution he has felt it to be his duty to move? I hope on every ground my hon. Friend will withdraw the Resolution; indeed, it is in the interest of the Resolution itself he should do so, for he will see that it would be impossible to prevail on the House to adopt it. It is perfectly true that we who know and are cognizant of the forms of our own Assembly are quite aware that we should not meet it with a direct negative, but by adopting the Motion to go into Committee of Supply; but the world outside — and not only the English world outside — but other countries, who may observe our proceedings — would not fail to conclude from seeing the small number voting with my hon. Friend that that small number was to be taken as indicating the strength in this House of those who are desirous, if it be possible, to mitigate the misfortunes of France, and to promote the future tranquillity of Europe. Therefore, in the interest of the Motion itself, I earnestly hope my hon. Friend will be disposed to withdraw it. It would not be right that I should pass from the terms of this Motion without reference to what I take to be their intention. My hon. Friend who has just sat down has spoken of the question of to-night, and the points upon which he and the hon. Member for Nottingham (Mr. A. Herbert) insist are—first, that England is to take upon itself to form at once a combination of neutral Powers, and, second, having succeeded in forming the combination, she shall then proceed to discover the basis upon which peace is to be negotiated. We are not to wait to allow the principals in this awful contest to make the basis for themselves, or even to compare their own ideas of what it should be; but we are to step in and make ourselves, whether they will or not, as far as opinion is concerned, the arbiters of the quarrel. I say "as far as opinion is concerned," and that construction is very stringently imposed by the hon. Member for Finsbury (Mr. W. M. Torrens). When he stated that after the battle of Sedan was the time when we might have offered our mediation and influence, I observed that he said he objected to the use of idle words, and that in the event of the rejection of our mediation, and in the event of our failure to make our influence effective, we were to withdraw our Minister from Berlin and close diplomatic relations with the German Empire. Well, my hon. Friend may think that such a conclusion as the extinction of diplomatic relations would form a happy medium between the opposite course of using loud and sonorous language without any effect being given to it, on the one hand, and going to war on the other; but I confess I am not prepared to take so favourable a view of the course he suggests. It appears to me that if we had gone so far as that it would have been difficult indeed not to have proceeded farther; and I think I have some support from the phrase which dropped immediately afterwards from the mouth of my hon. Friend. He said if we had only done that we should have kindled a fire in Western Europe which would have been effectual for the purpose. I am afraid we should have extended the fire that has already been kindled, and that without providing any means that would contribute to the limitation of its range or to the hope of its extinction. In two propositions of the last speaker I, for one, cordially agree. He is full of apprehension lest the peace to be made should be an extorted peace, involving conditions which would be intolerable to the recovered strength of a nation; and such a peace, after so much bloodshed and misery, my hon. Friend contemplates with sentiments of loathing and aversion. I agree with him that the possible arrival of such a peace is one of the unfortunate alternatives that may be before us. I agree with my hon. Friend in this, that the more magnanimity shall be shown by those whose splendid courage and wonderful organization, as well as the great genius of their leaders, have made them victors in this war, the better it will be in every sense not for France alone, nor even for Europe alone, but for the future interests of the German Empire. My hon. Friend also urged his desire that we should make an immediate attempt to use British influence. If the time comes at all it may come suddenly and with very short notice when neutral agency may interpose, and interpose with effect. It was surely a moderate demand which was made by an hon. Member to-night, in defending and apologizing for the conduct of the Government, when he said that, as a condition of intervention between the two belligerents—as a condition of the most friendly and apologetic intervention—the least you can require is that it should be agreeable to, and desired by, one of the two belligerents; but the other night, in answer to the hon. Member for Nottingham (Mr. A. Herbert), I stated that, so far as we were informed, neither belligerent showed the exact view which has been expressed to-night by my hon. Friend who spoke last, and by the Mover of the Resolution. As far as our information goes, the belligerents do not desire that, by a premature attempt, we should take out of their hands what they appear to think, and as it seems to me rightly, their own franchise—namely, that of comparing their views. I do not doubt they retain the hope that in case their views should prove irreconcilable there may be a place for the good offices of the neutral Powers; but I think it is their opinion that those good offices ought not to be prematurely thrust upon them, but should be left for a future stage. I dare say my hon. Friend would like a further assurance from me; but, in my opinion, it is better on this occasion to say too little rather than too much, and the House, viewing as it does the conduct of the Government in a spirit of confidence, would not desire unduly to press us. I would point out to my hon. Friends that they must not form too high an estimate of the value of the sole and separate opinion of this country. Of the language imputed to Count Bismarck by the hon. Member for the Isle of Wight (Mr. Baillie Cochrane) I know nothing, and I cannot but believe he must have been erroneously informed; but do let us bear in mind that England is not Europe, and England is not neutral Europe. With reference to the article published in a paper at Versailles, we have received information that it was expressly disavowed by official authority. I sometimes hear hon. Gentlemen express sentiments to the effect that we have lost our influence in Europe, and that nobody regards us. I think England has no reason to be dissatisfied with the position she occupies in regard to European affairs. The anxiety of other Powers to enter into the consideration of our views, to obtain an expression of them, and to obtain our co-operation—if this were a matter of national vanity, is as much as we ought to desire; and we must be careful we do not strain the opportunities of our position. We cannot assume at all times that all neutral Powers shall be ready to enter into our views; and I would have my hon. Friend bear in mind that when he speaks of the neutral Powers the secret of their strength is not that a portion of them shall enter into a separate combination, broken it may be by the absence of some vital member of the European community, but that the whole shall be prepared to act together. Much must depend on the disposition of the neutral Powers; much must also depend on the disposition of the belligerents. But it is not for me to invent new phrases expressive of the anxiety of the Government on this subject, because already we have advised Her Majesty on two separate occasions in the highest and most authentic form—namely, in the Speech from the Throne—to express the sentiments she entertains, first of all with regard to the duties she has to perform during the course of this afflicting war; and, secondly, in regard to its termination. I am not sure how far I am to understand my right hon. Friend the Member for Liskeard (Mr. Horsman), in his able speech, as objecting to an expression which fell from me on a former night, when I said we should be watchful for opportunities of this kind. I am aware how easy it is to misjudge the precise force of terms that should be used in circumstances so critical; but I do not think that I overstepped the mark. Watchful I think we ought to be and should continue to be; and it would be a great and noble distinction for this country if, without allowing her sense of humanity to betray her into proceeding beyond her right, she could inscribe on the roll of her great deeds having been able to make some contribution, should the need arise, towards the mitigation of conditions, necessarily heavy and severe, which must be imposed on the termination of the war on one of the noblest countries of Europe; so as to afford the hope, expressed in Her Majesty's Speech, that the peace about to be made should not contain within itself the seeds of future trouble and disorder, being so actuated by the principles of justice with reference to the circumstances of the case as to give the assurance that after so great convulsions Europe may enjoy a period of real and solid tranquillity.

Mr. AUBERON HERBERT said, that after the debate that had taken place, and especially having regard to the hearty manner in which his right hon. Friend at the head of the Government had spoken on the subject, and also because he had told them that at the present moment, according to the best information in the hands of the Government, neither of the two parties had yet announced their desire for the intervention of this country, he begged, with the permission of the House, to withdraw his Motion.

Amendment, by leave, *withdrawn*.

NAVY—THE ADMIRALTY.

OBSERVATIONS.

Lord HENRY LENNOX rose to draw the attention of the House to the condition in which the administration of Naval affairs, both in and out of Parliament, was now placed; and to ask for explanations from the First Lord of the Treasury. He hoped that it was unnecessary for him to offer any apology for introducing this subject, nor could it be necessary for him to state that, in the course he felt it to be his duty to pursue, he was actuated by no hostility to the absent First Lord. No one could feel deeper sympathy than he did for the right hon. Gentleman under the accumulation of misfortunes that had befallen him. The great calamity of last autumn—the loss of the ship in which he had taken such interest, and with it the loss of his son—was sufficient to secure the sympathy not only of his private friends, but of his poetical opponents. But such feelings must give way in time of great national crises; and it was the opinion of himself and of those who acted with him that the time had come when the attention of the Government should be drawn to the state of our naval administration, and when it was felt to be impossible to accept as an excuse the absence of the First Lord, however unavoidable. Another circumstance which induced him to invite explanations from the Secretary to the Admiralty or the First Lord of the Treasury was, that on the first night of the Session, while the state of the Army was fully entered into—indeed, a prominent paragraph on the subject was inserted in the Queen's Speech—the condition of the Navy was passed over with only a slight reference—the right hon. Gentleman merely said that the power of our Navy was generally admitted. Now, he (Lord Henry Lennox) was not the person to deny that we now possessed a powerful iron-clad Navy; but he could not help fearing, from the speech of the right hon. Gentleman, that he thought that what we had already done in the shape of building iron-clads was sufficient, and that there were no naval problems awaiting solution. He thought the Army Reserves had obtained undue prominence in the councils of the Government. No man could recognize more fully than he did the importance to England of having an efficient Army of Reserve; but, after all, the Army was only the inner line of defence, and that the outer line of defence of the country must always be the Navy. The importance of this had been proved on many occasions. It was sufficient to look back to last autumn, and to the feeling of satisfaction which pervaded the country, when they were assured by the First Lord that we were in possession of good and powerful ships, to be assured that England's main arm of defence must be on the water, and not on the land. It was the right policy of this country to be strong, not only in iron-clad sea-going vessels, but also to have an abundant number of those ships, which were specially suitable for the defence of the coast; for if it was known that we were in a position that rendered invasion an impossibility, England could make her voice heard in the councils of nations with effect, and we should be free from those sudden and unseemly panics which were too characteristic of this country. Then came the question of details, what class of ships would be most effectual for this purpose, their number, and where they should be placed so as best to defend the great centres of our wealth and commerce. But, in the present state of the Admiralty, to whom were they to apply for a solution of these vitally important questions? He would not for a moment be supposed to depreciate the business ability or aptitude of the hon. Member for Montrose (Mr. Baxter). Circumstanced as he had himself been, he did not suppose there would be much difficulty in the Secretary for the Admiralty moving the Navy Estimates. It was not the hon. Member for Montrose, it was the system now in effect at the Admiralty that he impugned. Since the present First Lord had been in Office the Secretary to the Admiralty had, in point of fact, discharged few or none of the duties formerly attached to the Office; his functions had been little more than those discharged by the Financial Lord in old times. The Secretary to the Admiralty, under the present First Lord, had not been in any way associated with the naval policy of the Government, or its shipbuilding policy; the present Secretary was no more responsible for such matters than Sir Sydney Dacres was responsible for the stores. Indeed, it seemed to him that the hon. Gentleman (Mr. Baxter) was simply in the position of head of the purchase department. When this subject was about to be referred to last night in "another place" by a noble Duke (the Duke of Somerset), Lord Halifax requested that the discussion should be postponed, because neither he nor Lord Camperdown was prepared with the necessary information. Now, the constitution of the old Board of Admiralty, as he had repeatedly said, was not perfect in various respects; but it had at least this great merit—that the proper prosecution of the business of the Department did not depend upon the health or energy of any one man; while the new system had that radical defect. The present First Lord had always said, in the most explicit manner, that the whole undivided responsibility rested with him—that he was solely responsible to the country, and all his colleagues and subordinate officials to him. So long as the right hon. Gentleman retained his health and energy, and so long as he was willing to bear the entire responsibility of the failures as well as the successes of the Department, the system worked well enough; but the moment that his health failed, or that he began to shirk his responsibility on to the shoulders of other men, the whole machinery he put in motion necessarily ceased to work. He defied anyone to say that that was not a correct description of the Board of Admiralty as it now existed. But further, he said deliberately that there existed now, and that there had existed for some time past, the greatest dissatisfaction in the naval profession at the way in which affairs were carried on. That dissatisfaction arose from many causes, but, chiefly, because they felt that all their professional and private interests were handed over to the despotic will of one man, and that man a civilian. Naval officers might accept much that was unpalatable if they knew that it was advised as beneficial for the service by distinguished and competent members of their own profession; but they knew that in the present administration of affairs by the Board of Admiralty the naval element was, if not altogether annihilated, yet almost completely absorbed. That was a great misfortune, respecting which he hoped to be able to question the First Lord as soon as he returned to his seat; and in case he should not return—and even while the point was doubtful—he would appeal to the First Lord of the Treasury, whether he could not manage in some way to have in that House some competent naval authority, who should be able to explain and to defend the naval policy of the Government—such as it was. At present naval officers felt that they were only represented at the Board by an admiral, who might perhaps grumble out a mild protest, but who, remembering that discretion was the better part of valour, oftener remained silent. It might, perhaps, be said that the absence of the First Lord was not unprecedented, and that, as a Member of the late Administration, it was ungracious in him (Lord Henry Lennox) to bring forward a complaint on the subject, seeing that the Conservative First Lord of the Admiralty (Mr. Corry) was absent during part of the last Session in which his Government held Office. But he could not imagine two cases more entirely distinct, both in respect of time and of attendant circumstances. In 1868 his right hon. Friend the Member for Tyrone was in his place at the opening of the Session. He was then absent for a period; but at the end of April he had returned, and he fully explained the naval policy of the Government in a most exhaustive speech of three hours and three-quarters. Moreover, during the time that his right hon. Friend was absent through illness he left on the Treasury Bench no less than four Colleagues competent to defend his policy. Two of these were members of the Board—the hon. and gallant Member for Stamford (Sir John Hay), who was a very distinguished authority on all naval matters; his gallant and lamented Friend Admiral Seymour; the right hon. Member for Lancashire (Colonel Wilson-Patten); and himself (Lord Henry Lennox), who was then Secretary for the Admiralty. Besides this, the absence of the First Lord in 1868 took place when Europe was in profound peace, and when this House was preparing for the rush of the coming dissolution. The absence of the present First Lord took place under very different circumstances. He was absent now, when the House was asked by the Government to adopt very large Estimates in order to provide for a large amount of Army Reserve; and that was itself evidence of the critical state of Europe. Therefore, to compare the absence of his right hon. Friend at the end of a Session with the absence of the present Lord was to compare two things which were totally dissimilar. Let him point to another thing. At the time the right hon. Member for Tyrone (Mr. Corry) was First Lord he left ample plans and Estimates at Whitehall. He also left Sir Alexander Milne, to whom such a marked tribute was paid in the House last night. He had also left Sir Sydney Dacres, who for 12 or 14 years back was Secretary of the Admiralty, and knew the thoughts and opinions of the First Lord. There were also Sir Spencer Robinson, the Chief Controller of the Navy; the Chief Constructor of the Navy (Mr. Reed); and Mr. Ronayne. And at that time the head of the Admiralty and his subordinates acted together in complete harmony. There might be, and there probably were, occasional divergences of opinion; but the divergence never interfered with the carrying out of what was necessary for the country. They had now in the House, as the only representative of the Admiralty, the hon. Member for Montrose (Mr. Baxter), who would no doubt give them all the figures connected with that Department with a clearness that could not be exceeded by the First Lord himself. But there was this great objection to any statement which he might have to make—that he would be propounding to the House a policy in the drawing-up of which he had had no hand. He could only give, at second-hand, the shreds and patches of what he had heard it was the intention of the First Lord to do. But there was another objection to any statement which he might have to make at second-hand—namely, that at this day there was at the Admiralty none of the harmony which made the working of the Department so pleasant when he was in Office in 1868. He thought it could hardly be said that harmony reigned at the Admiralty just now. While on that point he wished to say a few words about the dismissal of the Chief Controller, Sir Spencer Robinson. When the late Government took Office they were told that it would be impossible for them to carry on the business of the Admiralty, the Controller of the Navy being a violent political opponent of theirs; he must, however, do Sir Spencer Robinson the justice to say that during the two years they had been in Office he never knew him to allow his political opinions to interfere with his public duties, and he had invariably worked with them for the benefit of the country. There had, however, been published during the last few days a most remarkable correspondence. When, the other evening, he (Lord Henry Lennox) ventured to say that he considered the dismissal of Sir Spencer Robinson as a step prejudicial to the public service, the right hon. Gentleman at the head of the Government, who was generally so kind and lenient in his remarks upon him, took him to task and charged him with want of caution. He accepted that rebuke, coming from such a high authority, with his best and gravest thanks; but on reflection he saw nothing in the matter to prevent him from reiterating, in the strongest terms he could, his opinion that the dismissal of Sir Spencer Robinson at the present moment was an injury and prejudice to the public service, and one much to be regretted by those who had the good of the service at heart. However, as a Committee had been appointed in "another place" to inquire into the matter, he would not now enter upon that point, but defer such observations which he had to make in respect to it until that Committee had fairly and fully reported upon it. It was, however, extraordinary that an officer who six months ago had been so highly eulogized by the present Government should be now dismissed under the circumstances disclosed in the correspondence to which he had referred. There was another thing besides harmony which had disappeared from Whitehall, and that was all sense of personal responsibility. Another point which he wished to press upon the attention of the House was the appointment of the Committee presided over by his noble Friend Lord Dufferin on the subject of the Coast Defences. Three years ago the then First Lord came down to the House and asked them to sanction the construction of two ships of a novel character and of great power, two of which, the *Devastation* and the *Thunderer*, of 4,000 tons each, were to be built the first year. As the House was not a professional assembly, evidently they could take such ships or any other only upon the responsibility of the First Lord. Now, it was generally understood that when the First Lord made such a proposition he did so entirely on his own responsibility; but he did not undertake that responsibility until he had submitted the drawings received from the Constructor's and Controller's departments, with every detail, to his professional Colleagues and advisers; but in the case of these ships the case was stronger still, for in respect to these the First Lord had also taken the opinion of a scientific committee, by whom the designs had been fairly tried and approved of. Some exceptions were taken to the proposal by some of his political Friends; but, for his own part, he (Lord Henry Lennox) did not make any objection to them, being unwilling to say or do anything which might seem to take away from the First Lord any portion of his responsibility. Those vessels had been for 18 months in course of construction when the operations upon them were stopped. The progress of the *Fury*, a still larger vessel, of the same class, was also stopped, while the drawings, specifications, and designs of those ships, voted by the House on the responsibility of the First Lord, were to be revised by a Committee of 16 Gentlemen. He could not but think that that was a great abrogation of the responsible functions of the First Lord. That was another point which he would have wished to press upon the attention of the House, if there had been sitting on the Treasury Bench anyone who avowed himself the naval organ of the Government. There was another point which struck him forcibly, and it was the last with which he would trouble the House. It was the grievous want of anything like proper and due concord between the two great spending Departments of the country—the War Office and the Admiralty—as to what should be our coast defences and where they should be. The War Office was building certain fortifications on land, and the Admiralty was building gunboats and turret-ships to defend the approaches to our harbours, but neither took counsel together on the subject. It was true the Defence Commission was sitting; but although it had been sitting since 1861, the Chief Controller had never been asked to come forward and give evidence upon the subject. That was a point which he would press upon another occasion; but the chief fact with which they had now to deal was that important fact that they had been for the last six months without any naval administration whatever, and at this time a period of six months might be pregnant with the most colossal events. How long, he would ask, was that interregnum to continue? How long was the chaos and confusion and weakness now patent to all in the councils of the Admiralty to be endured by Parliament and the country? If, when the House met, half the chaos and the weakness visible at the Admiralty had existed at the War Office, there would have been a panic from one end of the country to the other. Yet, in his opinion, such a chaos and such a confusion at the Admiralty were far more likely than at the War Office to compromise the position of England. He wished to awaken the right hon. Gentleman from the dream that because we had a powerful Channel Squadron all naval problems were solved. On that side of the House they might well be proud of the squadron, seeing that the principal part of the iron-clads were provided for in the Estimates of the late Board; while as to the Flying Squadron, one of the glories of the present Board, the first-class frigates composing it also appeared there. Those Estimates were the same which were denounced with so much vigour and eloquence by the present First Lord, the Secretary of the Treasury, and the right hon. Gentleman at the head of the Government. To these points he had felt it to be his duty to allude in the absence of the First Lord of the Admiralty, and to press Her Majesty's Government for an answer, because he felt that, in the present state of affairs, some steps in connection with these matters ought at once to be taken.

Mr. GLADSTONE: Sir, in reply to the speech of my noble Friend (Lord Henry Lennox), I will begin with the portion which is most agreeable to myself—I allude to his very kind reference to myself. But let me assure him that I did not in the slightest degree object to his entertaining the opinion that the removal of Sir Spencer Robinson has been an unwise and injurious measure; but I did object to his deviation from usage in conveying that opinion through the medium of a Question which related to a dry matter of fact, and was put for the purpose of eliciting information. But with regard to the immediate subject of discussion, I am extremely sorry that my noble Friend has appealed to me personally to know whether the course he has adopted is a reasonable one or not. Having made that appeal to me, I must say—and I say it without intending any offence—that I cannot but regard it as both unreasonable and unfair. Indeed, I have never known any precedent, or anything like a precedent, for the course my noble Friend has adopted. It is the first instance of the kind that has come under my observation in the course of a long Parliamentary experience, and I hope it will be the last. But with regard to the explanation asked of me, I will give it very briefly. The noble Lord says that there is no one on the Treasury Bench as the avowed naval organ of the Government. Now, my hon. Friend near me (Mr. Baxter) is ready to answer any question which may be put with regard to naval affairs, and when he has proved himself incapable to discharge his duty—which up to the present time he has not done—that will be the time for the noble Lord to exhibit his incapacity to the world. My noble Friend says that we have been six months without any naval administration. Now, that statement I beg to contradict in the most emphatic manner. Until about three weeks ago, when Mr. Childers went away, the administration was no less efficient than it was before; for when a Department has been managed with the skill and ability which my right hon. Friend has exhibited, it is not the momentary absence of its Chief which deranges its proceedings or destroys the character of the Department. Of course, I should not dream of denying that the absence of the First Lord during any portion of the Session of Parliament is a public misfortune and a public inconvenience. No one feels it more than we do; no one laments it so much. But the question that has arisen is this—Early in January the indisposition to which Mr. Childers has been subject from time to time became extremely severe, and it was the desire of my right hon. Friend to resign his Office. He urged upon me more than once the acceptance of his resignation. We, however, believed that his resignation would be a greater public evil and inconvenience than his possible absence from his place during the first two or three weeks of the Session. For that decision I alone am responsible, and by that responsibility I am perfectly willing to abide. I believe, moreover, that no man holding the position I do would have come to any other decision. That decision would, I believe, have been come to in the case of any First Lord; but, in my opinion, and I think also in the opinion of the House, my right hon. Friend has not been an ordinary First Lord. ["Hear!"] It is natural that you should put your own interpretation upon that sentiment. By all means do so. But my right hon. Friend came into Office a little more than two years ago, and in the two Naval Estimates which he prepared he has offered to the country relief to the extent of one and three-quarter millions of taxation, while at the same time it is our contention that he has done so not by weakening, but by strengthening, the condition of our Navy. [Sir James Elphinstone: No, no!] It is nothing new to find the hon. Baronet disagree from me. And now, if I understand him, he boldly denies that the Estimates were reduced. [Sir James Elphinstone: No, no!] Well, I think it fortunate that the hon. Baronet agrees with even one-half of what I say—for the other half I must trust to the judgment of the House. Now, I confess that, during the whole of my Parliamentary experience, I have never before known a discussion upon our naval affairs raised upon the eighth day of the Session. My noble Friend says that he has adopted that course because of the critical times in which we live. But I do not admit that the time is critical with regard to the condition of the Admiralty. I am willing to admit that there are very grave questions—especially with regard to construction—that are not yet satisfactorily solved, and that fact might have absolved Mr. Childers from much of the criticism to which he has been subjected. But there is no question of re-construction with regard to the Fleet or Navy in the slightest degree analogous to the question of the Army; which, with regard to the critical condition of Europe is a pressing consideration. Indeed, I confidently assert that there never has been a time when our country has been so secure in our naval supremacy. But the noble Lord, only eight days after the Session has commenced, has felt himself irresistibly compelled, from the twinges and prickings of conscience, to bring the state of our naval administration under the consideration of Parliament. When my noble Friend himself moved the Estimates, in a manner which I think did him infinite credit, he did so, not on the eighth day of the Session, but on the 14th of March. Well, let us see whether by the 14th of March the First Lord may not be in his place. I quite agree that the absence of my right hon. Friend cannot be indefinitely prolonged. Indeed, I am afraid that the term must be a very short one in which we must judge whether we can press or urge him further—because it will depend upon pressure or urgency from us—to continue in the service of the Queen; but I must confess that it seems to me to be altogether strange and without precedent that such notice should be taken of this circumstance. The noble Lord might have remembered that in the case of his own Government the First Lord was absent from the middle of March to the end of April, and that with that arrangement the noble Lord and his Colleagues were perfectly contented. I do not question my noble Friend's motives. I daresay he has felt the necessity of raising the subject in this unusual manner. But we do not share his alarm, and we think his comparison with the War Office a needless one. We do not admit that the Admiralty is paralyzed. I contend that the current business is proceeding as it ought to proceed. The preparation of the Estimates in every essential particular was completed by my right hon. Friend the First Lord, before he reluctantly felt himself bound to take that course which I may say I almost compelled him by my pressure and remonstrance to adopt. And my noble Friend says that the Navy is now for the first time subjected to the despotic will of one man. I never heard such a doctrine. Does the noble Lord really think that any question ought to be decided by a majority of the Board, and that the First Lord ought to be liable to be out-voted by his own Board? Why, he knows his own First Lord, and every First Lord who is worth a sixpence, has ruled upon his own responsibility; and, therefore, this despotic rule of one man has always been the rule at the Admiralty. Would the noble Lord have a dual government established in every Office and Department in the State — dual government with real effective dualism, so that there shall be two chiefs to a Department always bound to agree in everything, and yet differing on details? The noble Lord has spoken of the Naval Lords as grumbling against the decisions of the tyrannical First Lord. Is that a becoming description for a former Secretary of the Admiralty to give with regard to the two gallant Admirals who are at this moment members of the Board of Admiralty, and who were members of that Board at the time when the noble Lord himself was connected with it?

LORD HENRY LENNOX: There is only one of the Naval Lords who has been on the Board under both the late and the present Administrations. I must also correct a mistake into which the right hon. Gentleman has fallen. I did not say "grumbled at the decisions of the First Lord." I said they "grumbled out a mild protest."

MR. GLADSTONE: As there is only one Lord who has served under both Governments, the noble Lord's description must be especially meant for that one. That is the manner in which my noble Friend, in his zeal for the public service, thinks it seemly to describe the public spirit and personal conscience of a gallant Admiral with whom he has himself served. I have taken upon myself the responsibility of inflicting on the House and on the public a considerable public inconvenience, and I have done it for a reason that often obtains in this imperfect world—on the chance, by embracing a lesser evil, of avoiding a greater. The noble Lord will not think it is out of any want of respect for him that I do not now touch on those purely administrative questions which have been raised. No doubt they are fair subjects for discussion, and they will come on in their own time; but, in the meanwhile, I hope I have shown the House that the Government has a true sense of the state of the case; and I hope that before my right hon. Friend the First Lord of the Admiralty returns and is called upon to take the decision—which must now be taken almost in a few days—that the right hon. Gentleman will be allowed a little interval in order that he may act as best fitted for the public service. There is no likelihood of my right hon. Friend being governed by any other consideration, and no doubt the House will afford him that indulgence, so that he may be ready to state the grounds and reasons of his own conduct when he shall be properly in tune. I only ask for that to which my right hon. Friend is entitled, and which, up to this moment, has never been denied by the House of Commons.

MR. CORRY said, he was the last person in the world to say anything harsh or inconsiderate of his right hon. Friend the First Lord of the Admiralty, whose absence from the House and the reason for that absence, he sincerely deplored. He trusted that absence would be continued but for a short time longer; but the non-representation of the Admiralty in the House of Commons had already been the subject of much serious comment, and the matter demanded attention. When the right hon. Gentleman the First Minister of the Crown complained that there was no precedent for the course taken by his noble Friend (Lord Henry Lennox), he must remind him that a time when the Admiralty was not represented in the House of Commons was also unprecedented. The right hon. Gentleman the First Minister of the Crown had told them that the Secretary to the Admiralty was to be found in his place in Parliament to give any information on Admiralty questions; but it should be borne in mind that at the present time the Secretary to the Admiralty was only Secretary in name, and did not now perform those functions which in former times he (Mr. Corry) had discharged himself. He should not have said a word on this point had it not been that the right hon. Gentleman opposite had drawn a parallel between the absence of the First Lord of the Admiralty at the present time and the absence which he (Mr. Corry) was compelled to take, from ill health, when he occupied the same post in 1868. He was most grateful to the House for the indulgence which it then showed him; but he felt bound to point out that the two cases were not quite parallel. In the first place, his (Mr. Corry's) supervision over the naval administration never ceased during the whole time he was absent. When he went to Dover, and afterwards abroad, he never ceased to exercise that general supervision over the naval administration which it was necessary to exercise. Every paper of importance was invariably sent to him; and to show that his supervision was not merely formal, he might mention that when on one occasion the Board of Admiralty met to consider the question of the construction of some turret-ships of the *Captain* class, according to the proposal of the Controller of the Navy, based upon the strong expression of opinion which had been previously given in this House in favour of building ships of that type, he came up from Dover, although very ill at the time, in order to put his veto on the carrying out of such a proposal until the *Captain* itself should have been tried. And there was a still greater difference between the circumstances of the absence of the present First Lord of the Admiralty and his own absence in 1868—namely, that while he (Mr. Corry) was away the Admiralty was represented in Parliament by the hon. and gallant Member for Stamford (Sir John Hay), the gallant and lamented Admiral Seymour, and by another member of the Board also; while now, for the first time almost in the history of Admiralty, the Civil Lord was a Member of the other House, and there was not a single member of the Board present in the House of Commons. That showed that there was a very material difference in regard to the representation of the Admiralty in the two cases. The right hon. Gentleman (Mr. Gladstone) had spoken of the enormous reductions made by the present administration; but he seemed to have forgotten that some £600,000 or £700,000 of those reductions were effected by his predecessors in Office; and besides this, certain substantial results of good administration had been transferred by him (Mr. Corry) to his successor at the Admiralty. It was also the fashion to say that the present Administration had increased the strength and efficiency of the Navy; but the fact still remained that they had reduced the number of men in the Navy by 5,000. As to the number of ships, the late Administration added no less than 10 armour-clad vessels to the Navy, which would really represent an additional power of quite 20 of the vessels which were built before. What had the present Government done in that direction? It was true they had ordered some gigantic freeboard ships; but in consequence of the grave suspicions excited as to the safety of those vessels various modifications had been proposed by the Admiralty themselves, and the whole matter was now before a Committee to be reported upon. The question of the constitution of the Board of Admiralty was a most serious one, and he should be sorry to enter into it in the absence of the First Lord; but all he could say was that unless the principle on which it was constituted was reformed and revised some serious calamity might be brought about.

MR. CAVENDISH BENTINCK said, he thought the House and the country were greatly indebted to his noble Friend the Member for Chichester (Lord Henry Lennox), for the very able way in which he had brought forward that subject, and also for doing it at the right moment. The Prime Minister had made a most remarkable statement, accusing his noble Friend of introducing an unreasonable and inappropriate discussion. He could only infer from that that the right hon. Gentleman was entirely ignorant of what was going on in the country and of what was the public feeling. Had he not heard that during the Recess the state of our armaments was a great cause of anxiety to the country generally, and did he suppose that that anxiety applied only to the military departments? Why, if he did he was under a complete misapprehension. Quite as much uneasiness existed about the state of our naval defences as about that of our military defences, and, he might add, with much greater reason. The right hon. Gentleman must have been living in some Elysium of his own if he did not know what had been the constant and general subject of conversation and discussion during the last few months in every part of the kingdom. It was, he thought, not only the right but the bounden duty of his noble Friend, as a former Secretary of the Admiralty, to call attention to that question. The prevailing impression among the public was that our naval defences were at present inadequate to the requirements of the country. One of the first changes now required, both by the public feeling and by the real necessities of the country, was a complete revision of our naval system. He did not think that the remark of the right hon. Gentleman at the head of the Government — that his noble Friend ought not to have brought forward this subject in the absence of the First Lord of the Admiralty—was quite justified. He was sure nobody more sincerely regretted the absence of the First Lord of the Admiralty than his noble Friend did; but there were national emergencies that overrode all personal considerations; and, if ever there was a moment when it was incumbent on the House of Commons to go into the question of our naval defences, it was the present one. He had been mixed up for many years with the discussions of the Board of Admiralty; and much as he himself had always felt the necessity of a complete revision of the system of the Board of Admiralty, he was never more thoroughly convinced of it than he was now; because, whatever was wrong with it formerly, the former faults seemed now to be aggravated to a ten-fold degree. As he had said before, he regretted the enforced absence of the First Lord; but there were subjects which must override all personal considerations. The civilian element in the Board had been too strong before, and if there was too little responsibility before there was less now; and now it was notorious that the present First Lord had entirely ignored the naval element of the Board, and had announced himself to be solely responsible for all its proceedings. A state of things more dangerous or more anomalous than that inaugurated by the present First Lord of the Admiralty could not well be conceived. Such was the extent of the interference by the First Lord and the civilian members of the Board that officers who had held high commands had, at the termination of those commands, refused to fill still higher positions because they felt they would be so hampered and tormented by the interference of the civilians in the present Board that they would not undertake to serve under it. Only last autumn two distinguished admirals in succession refused the offer of the command of the Channel Squadron. It was perfectly well known why that offer was declined. Distinguished men in the naval service would not subject themselves to the kind of inquisitorial proceedings instituted in the Board of Admiralty, and, in fact, the command of the Channel Squadron went begging. Never was it more desirable than now to have an efficient and harmonious Board of Admiralty, and nothing was more likely to create what was called a panic in the country than a knowledge of what was the present position of that Board. As his noble Friend had truly said, one of the first essentials at the Board was harmony among its members. From what they had seen of the very remarkable correspondence published the other day between the Prime Minister and the Controller of the Navy not only was there not harmony at the present Board, but it would appear as if a distinguished admiral had been treated with some harshness. In conclusion, he hoped they would have the earliest possible opportunity of entering into the whole question of whether or not they now had a Board of Admiralty fitted to be entrusted with its functions.

Sir JAMES ELPHINSTONE said, he was sorry that the earlier part of the evening had been so long occupied with another debate that a matter of so much importance as the present one had been delayed till an hour when hon. Members naturally began to be impatient. No question raised since the delivery of the Queen's Speech more deserved the grave consideration of the House than that introduced by his noble Friend (Lord Henry Lennox). It was an extraordinary thing for the Prime Minister to be obliged to get up and answer for the Admiralty, that Board having no other representative in that House but the Storekeeper of the Navy. The right hon. Gentleman at the head of the Government said that our fleet was in a proper condition; but Her Majesty's Speech recommended them to gather lessons in regard to their armaments from the experience of the last few months. What was the light of that experience? The recent reports of the French admirals were fruitful in such lessons. The French admirals proceeded to the Baltic with a fleet of heavy draught, analogous to our own Channel Fleet, and they reported to their Government that they could do nothing. They had 20,000 troops on board, which they might have landed on their enemy's coast if they had used small vessels. The moment the Prussians saw the French fleet they snapped their fingers at it, and General Von Falckenstein was enabled to take part in the campaign with 150,000 men; whereas if the French had employed gunboats they might have ravaged the whole length of their enemy's coast from Pomerania to the Elbe, and detained so vast a portion of the Prussian force there that the war would never have gone beyond Sedan. England had to guard some seven or eight great focuses of its trade, and to employ many vessels of war in protecting its commerce. At the present moment England had not a sufficient number of ships to guard her commerce; and if she went to war with any country that had a shelving shore, it would be impossible to land munitions of war upon her shores on account of the large tonnage of our ships of war. The hon. Member for the Tower Hamlets (Mr. Samuda) recently assured his constituents, on the authority of the hon. Member for Montrose (Mr. Baxter), that the fleet was quite sufficient for the requirements of the country during many years to come; but what were the facts? Simply, that in the whole Navy there were no two ships exactly alike. No two vessels were of the same speed, there were not two topsail yards of the same length, and when a ship went into harbour to refit, the whole of the masts, spars, &c., had to be made specially to suit its peculiar build. Vessels were sailed not according to their speed, but according to the rank of their commanders; the consequence being that very frequently different ships belonging to the same fleet were under great risk of running into each other. He felt that in discussing these questions he was much embarrassed by the calamity they all deplored. In the face of the dreadful bereavement which had fallen upon the First Lord of the Admiralty, through the loss of the *Captain*, and of the fact that the right hon. Gentleman was absent from the House by reason of illness, he could not speak with the same freedom he should otherwise have exercised. He trusted the right hon. Gentleman would soon be back in renewed health; but he must ask what the right hon. Gentleman at the head of the Government would do in case the First Lord of the Admiralty was unable to resume duty? Would he bring back the octogenarian Peer who had lately been keeping warm the eggs of the Admiralty? Why, the right hon. Gentleman had not in his whole phalanx a gentleman fit to be First Lord of the Admiralty. [*A laugh.*] The right hon. Gentleman laughed—but let him show the man. The other day 2,500 tons of food had to be sent to Paris for the support of the inhabitants; and it was stated by a representative of the Government that the getting this amount of stores on board the transports in from 15 to 20 hours was a feat of the greatest possible dexterity, showing the enormous resources of the Navy. Yet this amount of food was just 17 days' provisions for the men and boys voted for the Navy. Why, he remembered that in 1842 two line-of-battle ships, in Portsmouth and Plymouth respectively, were completely rigged and loaded in 24 hours. Although they would have another opportunity of discussing the dismissal of Sir Spencer Robinson, he wished now to say that, as the affair struck him, it seemed that the right hon. Gentleman at the head of the Government had made a scapegoat of that gallant officer; but Sir Spencer was one of those goats who would not be driven just as the First Lord of the Treasury desired. He had no love for Sir Spencer Robinson, for he had done more harm to his (Sir James Elphinstone's) constituents than any man who ever breathed; but he never saw a man down without picking him up if he thought the man had been wronged, and he thought Sir Spencer Robinson had been ill-used. There would, however, be other opportunities for discussing that particular question. This country was just now in the extraordinary position of not being able to take the sea for offensive operations, because the Navy had no small vessels for the protection of the coast, and we never should be able to do so unless we had 100 smaller vessels for the purposes of cruising, of defending our harbours, and protecting our commerce. So far as the Administration was concerned, they found the extraordinary spectacle of men possessing the highest administrative ability on naval questions answered in Parliament by boys utterly ignorant of the questions with which they were called upon to deal. He had been utterly astounded by finding that in "another place," on the preceding night, a mere youth, possessing no knowledge of naval questions, was put up to answer one of the most consummate naval administrators in the House of Lords. And then they found the First Lord of the Treasury throwing his ægis over an effete Department, where the utmost confusion prevailed along with the greatest animosity among its members, and adopting the hackneyed plan of dirtying his opponent's attorney.

MR. BAXTER desired to say only a few words. He did not, in the least, complain of any remark made by the noble Lord who introduced this discussion (Lord Henry Lennox), and who had a perfect right to interrogate the First Lord of the Treasury as to the time at which the First Lord of the Admiralty was likely to return to his duties—because it was, without doubt, a matter of very serious inconvenience to the public service for so important an official to be absent when the Estimates belonging to his Department were about to be introduced. As his right hon. Friend the First Lord of the Treasury had stated, the First Lord of the Admiralty was expected back at his post in a few days, and it would then be for the Government to decide as to the future. It would depend upon the decision of the First Lord himself whether he would continue at the head of his Department or retire. He strongly deprecated any discussion just now of the Estimates, which were not yet even in the hands of Members; though several hon. Gentlemen had criticized them without having seen them. He hoped they would be in the possession of hon. Members by Monday next, and that in a week or two his right hon. Friend would be in his place to explain them, and also to state the general policy of the Government on naval matters. During the 16 years he (Mr. Baxter) had been a Member of that House he never remembered a discussion in the first week of a Session similar to that which had just been held, and he must again protest against such discussion not only as unusual, but most inopportune. He would never say one word to lead the people of England to believe that the Administration of the right hon. Member for Tyrone (Mr. Corry), or any other naval Administration, had not properly provided for the defences of the country. He might have thought some former Administrations had not managed the Department as well as might have been expected; but he could never have looked with favour upon the spectacle of Gentlemen going about the country and saying—as had been freely said of the present Admiralty administration—that the Admiralty, when in charge of the right hon. Gentleman the Member for Tyrone (Mr. Corry), and of the noble Lord the Member for Chichester (Lord Henry Lennox), was inefficient for the performance of the duties devolving upon it. He could assure the House that the Admiralty was, at the present moment, fully competent to satisfy all the demands likely to be made upon it. Further, he would tell the hon. Member for Portsmouth (Sir James Elphinstone) that he had mistaken his (Mr. Baxter's) position when he compared it to that of a Storekeeper in the Navy. He was responsible for the buying and selling of all naval stores; but that was only a small portion of his duty. He deemed himself responsible to the First Lord for the naval administration of the country, and he was prepared, at the proper time, to answer any questions that might be put to him on that subject. He hoped the hon. Gentleman the Member for Portsmouth would regret the remarks he had just made with reference to what occurred in the House of Lords last night. He was sure there was no man who had attended more laboriously to his duty as a Lord of the Admiralty than his noble Friend (the Earl of Camperdown). He thought his noble Friend answered all the questions put to him in a manner entirely satisfactory. He hoped the House would wait with patience till the Naval Estimates were introduced before they entered upon a discussion of this subject. As the Government had already told the House, in a few days they expected the First Lord of the Admiralty to be in his place, and, until then, he hoped the House would suspend its judgment on matters concerning the management of the Navy.

Amendment, by leave, *withdrawn.*

Original Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

STAMP ACT (1870) AMENDMENT BILL.

On Motion of Mr. STANSFELD, Bill to amend the Stamp Act, 1870, in relation to Foreign Securities and Mortgages of Stock, *ordered* to be brought in by Mr. STANSFELD and Mr. CHANCELLOR of the EXCHEQUER.

FIRES BILL.

On Motion of Mr. M'LAGAN, Bill to make provision for inquiries into the origin and circumstances of Fires, *ordered* to be brought in by Mr. M'LAGAN, Mr. AGAR-ELLIS, and Mr. CHARLES TURNER.

Bill *presented,* and read the first time. [Bill 44.]

House adjourned at a quarter
after Twelve o'clock, till
Monday next.

HOUSE OF LORDS,

Monday, 20th February, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Princess Louise's Annuity* (20); Juries Act (1870) Amendment* (21).
Second Reading—West African Settlements (1); Benefices Resignation (7).

WEST AFRICAN SETTLEMENTS BILL.

(*The Earl of Kimberley.*)

(NO. 1.) SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF KIMBERLEY, in moving that the Bill be now read the second time, said, that its object was to extend the jurisdiction of the Courts of the West African Settlements to certain offences committed out of Her Majesty's dominions. At present the inhabitants of the districts adjoining our settlements of Sierra Leone, Gambia, the Gold Coast, and Lagos, were not under the jurisdiction of any civilized Government; yet as crimes were frequently perpetrated in those barbarous territories against British subjects and persons residing in our settlements, and there were no means of making the offenders amenable to law, it was desirable to provide for the trial and punishment of such crimes and outrages. The Bill therefore extended the jurisdiction of our Courts to 20 miles beyond the boundaries of our settlements; and authorized the apprehension of any offender within our settlements who may have committed a criminal act in the limits outside.

Motion *agreed to.*

Bill read 2ª, and *committed* to a Committee of Whole House *To-morrow.*

BENEFICES RESIGNATION BILL.

(*The Lord Bishop of Winchester.*)

(NO. 7.) SECOND READING.

Order of the Day for the Second Reading, read.

THE BISHOP OF WINCHESTER, in moving that the Bill be now read the second time, said, that he desired to lay before their Lordships his object in proposing this legislation. The object of the Bill was one of great simplicity, and its machinery was very analogous to that which their Lordships had sanctioned in another case for a similar purpose. That object was to allow clergymen who, either from age, or pressing bodily infirmity, were incapacitated from the due discharge of their duties, to resign any benefice they might hold, retiring on a moderate pension, chargeable on the revenues of the benefice with the consent of all the parties concerned. In asking their Lordships to do this, he was only asking them to restore the law of England to what it used to be. It seemed to him to be one of those Conservative and safe amendments of the law which he should have thought would have been most acceptable to their Lordships, and he regretted that some noble Lords, Friends of his, for whose opinions he had the highest respect, differed from him as to the expediency of it. He could not tell what these objections would be until he heard them; but he would give them the most careful consideration when he knew what they were. He was simply seeking a restoration of the law to what it was previous to 31 *Elizabeth,* c. 6, s. 8, which made pensions on the resignation of benefices unlawful. That statute was a wise measure at the time, for the granting of pensions was a part of a great system of abuse which had prevailed. It was aimed against an usurped jurisdiction of the Papacy, under which these pensions were granted without the slightest regard to the interests of the parishes, and for the mere purpose of heaping a multitude of simultaneous pensions on some one resigning clerk. This was a gross abuse, and it was necessary at the time to cut deep in order to cut away the roots of the abuse. But under this Bill no such abuse could arise, for it provided that no retiring clerk should be able under any circumstances to receive more than one pension at the same time. Reference to the *Reformatio Legum* would give ample evidence of what was designed; and, indeed, this measure, down to some of its very minutest details, was one of the wise and moderate recommendations contained in the *Reformatio Legum,* and had some operation for a time, though it had never been incorporated, as it was intended to be, in the statute book. He (the Bishop of Winchester) sought to restore the law, with certain abatements, to what it had been before the statute of Elizabeth. He might well seek to do this, because he thought it was an act of charity and justice to the parochial clergy. He believed there was no body of men discharging important official duties, which required so much health and strength, who did so without any prospect of retiring, when striken with years, on some pension out of the funds of the profession they had adopted. This was the more hard as it was impossible for the greater portion of them to make any decent provision by the savings of their profession during their years of active health. He thought their Lordships would hardly wish the body of their clergy to be driven either to give up altogether the position which they held, or to continue to attempt to render services which the clergy themselves, more painfully than any others, knew they could no longer render with due efficiency; and the more sacred their duties the more cruel it was to inflict upon their consciences the terrible alternative of doing wrong to their own conscience or exposing their families to that which was close upon starvation. The man who had given the prime of his life, the best of his years, and the flower of his intellect to the grave duties of the parochial priesthood, was surely entitled, when he was no longer able to discharge those duties, from age or sickness, to look for such a moderate provision in his age as he had earned for himself by hard service when enabled by Providence to render it. And this was the more due to these gentlemen—for gentlemen they were while serving as the parochial clergy—because the Legislature had already extended a similar provision to the order of Bishops of the national Church, which he felt had no right to those advantages while they were withheld from those who perhaps had not during their service an equal share in the good things of this world. It was right and just that this provision should be made for the parochial clergy of England; but he made the appeal further because it was for the interests of the parishes themselves, which this clergy served, that the change should be made. He could assure their Lordships that in some cases the parish did suffer most severely from the causes to which he had referred. The clergyman was often, in addition to his spiritual office, the centre of literary life and of moral power in a parish; and when he was disabled, and when there was no resident nobleman or gentleman, or earnest-minded Dissenting minister, the relaxation of the power of that central spring caused the inhabitants to sink down to a dead level of stagnation. It was manifest that such parishes suffered under grievous injustice. The injury inflicted on the parishes by the absence of any provision for retirement extended beyond the particular parishes concerned; for the present system helped to maintain the most vicious idea which had spread so widely that these benefices were for the use of those who were paid by them, and not so much for the benefit of the people to whom they ministered. It was desirable that the fallacy should be removed, because anything was valuable that tended to remove the idea that because our forefathers had wisely endowed the ministers of the Church with freehold property, they had not had in view especially the spiritual benefit of the population of the several parishes. These freeholds were in the nature of a trust, and when the trust was violated, the freeholders had no longer the right to retain them. The interests of the parish formed the first consideration, and these could be obtained by the appointment of a younger and stronger man. It had been said that the object would be obtained by suffering the Bishop to appoint a curate, and to pay the curate out of the income of the benefice. But that was not the same thing; it was a wholly different thing to have an efficient clergyman as the incumbent of a parish and a worn-out clergyman as the incumbent backed by a curate. In the first place, there was a feeling of security in a man's mind when he held the position of incumbent. While he was incumbent he was not liable to be removed, unless he himself chose, and therefore he gave his whole heart and soul to his work in a way which no man could do who might be removed in a few months. There was a taking root in the one case, and a mere putting in a rootless branch in the other. And besides this there must necessarily be, while human nature was what it was, some feeling between the older incumbent and the younger curate; there must spring up just that feeling of jealousy and alienation which created more harm in a parish than any feeling of a secular character whatever. The former having had his power enfeebled by degrees would not feel the amount of change that had become necessary, and would see with distaste what he would think the unnecessary activity of the curate whom the Bishop had forced upon him. Therefore, there would not be the benefit to the parish if you gave to the Bishop power to appoint a curate that there would be if you gave the rector the power of retiring. It was one thing to enable an incumbent—for no compulsion was to be put upon him—to enjoy repose, perhaps in a place where his family were settled, and where a decent allowance would enable him to sustain a less expensive position; it was another thing to compel him to be the witness of an activity which he secretly disliked. He did not know what the objections which were to be brought against the Bill would be. He knew it was said last year that the proposal contained in the Bill would be beneficial in the case of large benefices, but that it would fail in the case of small benefices. Now, he could not see why a measure by which some benefices would profit should be objected to because it would be inoperative in others. The whole subject had been most carefully studied by the clergy in the Lower House of Convocation—and they knew pretty well what was most for their own interest and welfare, and that body were unanimous in desiring that this measure should be carried. It was part of a great reform which they hoped to carry into another part of the Church machinery—the Queen Anne's Bounty. They hoped that the readjustment of Queen Anne's Bounty, which had been favourably received by the whole Bench of Bishops, and which he believed was also favourably received by the great bulk of the parochial clergy, would in a great degree meet the difficulty and objection to which he had just referred. A most careful statement had been drawn up of what was now yielded by Queen Anne's Bounty, and what would be yielded by the Bounty if the measure now proposed was carried into effect. His right rev. Brethren—and he believed the bulk of the parochial clergy, were anxious to provide out of that fund assistance for the small benefices. The measure did not propose to alter the amount paid by the Bishops for this reason—that they paid more now than the Lower House of Convocation. That House had now proposed an alteration of the law which would throw a large increase of payment to Queen Anne's Bounty on their own body, and diminish the sum paid under the recent Act of Parliament by the Episcopal Order. But the Bishops, though paying more than the clergy, did not desire to see any reduction of their quota to Queen Anne's Bounty, their proposal being that there should be raised a very moderate tax of 1 per cent upon all benefices the income of which exceeded the sum on which the income tax was not paid. This tax of 1 per cent would go to the clergy instead of the First Fruits—a burden which was very onerous, being imposed on taking possession, and which was at the same time uncertain, unjust, and inadequate, large upon some, and nothing at all upon the great mass of the benefices of the country. The result of the alteration of this payment in the diocese of Lichfield, as his right rev. Brother had with great activity ascertained, would be this—Lichfield at present paid £150 a year to Queen Anne's Bounty; but if the alteration proposed was carried out there would be £1,500 a year from the diocese of Lichfield. It was proposed that that £150, which was now paid in augmentation of livings through Queen Anne's Bounty, should be retained, and £550 added to it; and there would still remain for the diocese £800 a year to be paid for pensions to poor clergymen retiring from livings under £300 a year. He apprehended that this would be one of the greatest practical benefits that could be bestowed upon them. The only other objection which he could conceive of was that the measure would give rise to jobs. But in the drawing-up of the Bill very great care had been taken to provide against any abuse of the principle of the Bill. It had been objected that the interests of the patrons were not sufficiently consulted by the Bill, with a view to the prevention of jobs, and a suggestion had been made that the Bill might be altered in Committee so that the consent of the patron of the living should be required; and that in the event of any difference of opinion between the patron of the living and the Bishop of the diocese, an appeal should be made, as in many other cases, to the Archbishop of the province, whose judgment should be final on the matter. Now, if that would remove the difficulty, he would be perfectly ready in Committee to agree to that change; and he believed he might say on behalf of his right rev. Brethren beside him that they would be equally as ready as himself to consent to it. Another objection which had been mentioned to him was as to the age at which a clergyman should retire and the pension become due should be defined. To this he had no objection on principle. The age of 70 years had been proposed; but he could not agree to that. It would be hard on the body of the clergy to tell them that they could not get this pension until they were 70 years old. He had proposed the age of 60 years, as he thought that a man who had been working from 23 to 60 years of age should have an opportunity of retiring upon a third of his income if he desired it, if he felt age creeping upon him, and if his Bishop agreed to it. He did not know what other objection could be made to the Bill; but he would endeavour to weigh any that was stated to the utmost of his power. He would leave the Bill in their Lordships' hands, earnestly entreating for the sake of the credit of the national Church, for the sake of the clergy, and, more than all, for the sake of the parishioners, for whose benefit these endowments had been given by our forefathers, that they would permit a second reading of the Bill, and sanction the most important principle it contained.

Moved, "That the Bill be now read 2^a."—(*The Bishop of Winchester.*)

LORD ROMILLY said, he rose, with considerable reluctance, to move that the Bill be read a second time that day six months. He had no doubt that the right rev. Prelate, in bringing forward that measure, was actuated by a sincere desire to benefit the Church. It was from exactly the same motive, because he (Lord Romilly) sincerely believed that this Bill would be very injurious to the Church, that he had ventured to put his judgment in opposition to that of the right rev. Prelate. In a matter of this description, which was not a matter of doctrine nor a matter of discipline, but which was merely a matter of finance, it was quite clear that a lay member of the Church might be as competent to form an opinion as the Episcopal Bench. The present was one of three Bills which were before the House at the end of the last Session, two of which were passed in a very hurried manner. Not only was he sincerely attached to the Church of England from early education and from subsequent reflection, but he believed that attachment to it was deeply rooted in the hearts of the great body of the English people. Indeed, he believed that were a religious Census taken its members would be found far to exceed all the Dissenters put together. The two great causes of its popularity were the independence of the parochial clergy and the lay element. But he proposed to show that the Bill would seriously affect the independence of the parochial clergy, and also seriously affect the right of the lay patrons. It was necessary to observe that there were two classes of persons among the parochial clergy who would be affected by this Bill. One class consisted of those clergy who had lived a long time in the parish, and, having become old, were unwilling to retire, unless compelled; but there was another class who, from various causes, desired to retire at once. Let their Lordships consider the case of a clergyman who had held the incumbency of a parish 30, 40, or 50 years, had been expecting to spend his last days there, who had, probably, christened more than half the population—let their Lordships consider the cruelty of compelling such a clergyman to leave the scene of his life-long labours to live upon a reduced income, in a place where he was unknown, and which had no associations for him. It might be said that as no commission could be issued without the clergyman's written application to the Bishop, he would not retire unless he himself desired to do so; but what moral pressure would be put upon him! One good-natured friend would tell him that the Bishop thought him incompetent to perform the duties of his office; another would tell him that, though he preached occasionally and administered the sacraments, had a very good curate, and had a wife highly useful in the parish, still at his age he ought to resign. He would find it impossible to resist the pressure; and if clergymen in such cases declined to resign, compulsory powers would, probably, be next asked for. The case with which it was most necessary to deal—alienation of mind—was not touched by the Bill, for such a clergyman could not apply for a commission. It would be very hard to remove from a parish an aged incumbent, for whom all the inhabitants had come to entertain a filial affection, and who would be gravely injured by the Act; and, in spite of the opinion of the Lower House of Convocation, he believed that the clergy generally would regard this measure as the infliction of a calamitous protection for them. He attributed little weight to the opinion of Convocation in this matter, for it was notorious that the parochial clergy were not really represented in Convocation any more than they were in that House. There was another class of persons—men who, perhaps, had had an accession of property, or for other reasons, would be glad to retire, profess their inability further to continue in the performance of the duties of the parish, and in that case they would carry off one-third of the income from the parish, and retire from the Church. As to the commissioners preventing jobs, how could that be done? If a young man professed to be incapacitated by illness, how could it be ascertained that he was not so? He might get a medical certificate of certain ailments, and might probably possess some ailments, though not sufficient to disable him. The Bill would enable him to leave the living with a diminished income; whereas he would otherwise have resigned, and left it without any burden. There was also another serious objection to the Bill—the expense of working it. The commissioners who were to take evidence under it must be paid. The commissioners were to take evidence and examine persons, and if they thought the incumbent ought not to retire, the expense of the inquiry would be a charge upon him; while in the other event half of it was to be paid out of the living. The expense would make the machinery quite inapplicable to small livings; indeed, this was admitted by the right rev. Prelate. He desired also to call attention to the novelty of the proposal. Bishops had hitherto been restricted to questions of doctrine and discipline; but this was one of a series of Bills which gave them a voice in the financial arrangements of the parochial clergy. This he regarded as a very serious evil. He could see no calamity to a parish in having the duties amply performed by a curate, under the direction of an incumbent who had had a long experience of the parish, and was well acquainted with its requirements. The patron, to whom and to the incumbent all financial affairs ought, he contended, to be left, was wholly ignored by the Bill. His one representative on the commission would be outvoted by the four other members, or might even be displaced by the Bishop, who was to be able to remove any commissioner he deemed unfit and to appoint a substitute. The Bishop was also to fix the amount of the pension, provided it did not exceed one-third of the income of the benefice; and as the Bill stood, he saw nothing to prevent a succession of retirements and pensions. The result of this would be that the patron would be dissatisfied with his position, and would dispose of his advowson. Lay patronage was a very beneficial element in the Church, and he deprecated anything which would weaken it. He objected to this and its companion measures as likely to further the efforts of those persons who wished to remove the Episcopal Bench from their Lordships' House, and to overthrow the Established Church, and as likely also to alienate the best friends of the Church.

An Amendment *moved* to leave out ("now") and insert ("this day six months.")—(*The Lord Romilly.*)

THE MARQUESS OF SALISBURY said, that as to the objection of the great danger of clergymen being forcibly brought within the operation of the Bill, the answer was simple—he would remind the noble and learned Lord (Lord Romilly) that the Bill did not come into operation until the clergyman had requested the Bishop to appoint a commission, and the incumbent could avoid all the evils and dangers which he saw in it by simply taking no advantage of its provisions. He thought the noble and learned Lord, in the early part of his speech, led the House too much into the region of sentiment. Why should a clergyman differ from every other person who served the public, or a private individual, as to the necessity of giving up attempting to discharge his duties when he had no longer the power to do so? There was a class of very estimable men—most valuable servants of the public, whom of all others Parliament would be most sorry to oppress—but who were now subject to this same dangerous permission. He believed it was open to a Judge, if he wished to retire, to apply in the proper quarter, and obtain a portion of his salary as a pension; and he had never heard this described as a hardship, or heard of the danger of a Judge being bullied and worried by ill-judging friends into unnecessary resignation. A Judge was just as likely to have a sentimental attachment for the Bench on which he had sat half his life as a clergyman for his living; and if there was a danger of being bullied protection ought to be applied as much to the Judge as to the clergyman. The same might be said of every part of the public service. No reform had been more beneficial or more general in modern times than the principle of superannuation of public servants, and the Bill simply proposed its application to the parochial clergy. If some such measure were not passed, surely the clergy would have a right to complain that a liberty which had already been given to the Bishops was not given to them. He desired also to say that he thought the rights of patrons were not protected as they ought to be; but this was a matter for future consideration. While not regarding the Bill as perfect, and thinking the rights of patrons were not sufficiently protected, its general principle was wise and necessary, and an indispensable sequel to the reform applied by Parliament to both the civil and ecclesiastical service.

The Earl of HARROWBY supported the Bill, which he thought would be beneficial; but he feared that its application would be limited to the richer livings. The rights of the parishioners ought to be protected; and, therefore, the churchwarden of the parish ought to be one of the commissioners in place of the magistrate nominated by the Bishop.

Lord CAIRNS said, that last year he had made several objections to the Bill then before them, and some of them still existed. The two principal points of objection had, however, been remedied, and his objections might be modified or removed by the Amendments to which the right rev. Prelate was willing to agree. One of these concerned the rights of the patron—that no resignation should take place without his having a potent voice in the matter. Another, to the terms upon which an incumbent should be permitted to resign. The Bill contained no definition of the period of life that would entitle an incumbent to retire—it did not often happen that a clergyman held a benefice from the age of 23 to 60, for he seldom got a living at the former age. He agreed that an incumbent, incapacitated by illness, should be able to retire irrespectively of age; but he objected to fixing 60 as the age entitling a clergyman to a pension, for a man of 60 might, *ex hypothesi*, be healthy and vigorous, and quite competent to discharge his duties. This and one or two other points might be considered in Committee, and he now only threw it out for consideration. There were also other matters that would have to be considered; and one was a subject of great importance. The existing law subjected to the penalties of simony the making of any resignation of a benefice in consideration of a money payment; and in the present Bill the right rev. Prelate proposed to enact that the transactions under this Bill should not be subjected to the penalties against simony. Now, unless this provision were very carefully guarded, they would open a door to a most corrupt kind of jobbery in the traffic in livings. Nothing would be so easy as to enter into a private arrangement in reference to the next presentation with the incumbent, that in addition to having one-third of his income under this Bill, the purchaser should secretly give him something more, in order to induce him to retire. This ought to be carefully guarded against. Another objection was this—What was to be the position for the future of the incumbent who retired upon one-third of his income? Suppose, for instance, that an incumbent availing himself of the Act passed last Session chose to make the necessary declaration and to retire from orders altogether. He would then receive one-third of the income arising out of the benefice of a Church from which he had withdrawn. Suppose, further, that after this he should preach doctrines, or write books containing doctrines which were heretical, how were they to deal with him? Possibly they might have a man receiving the third of the income of a benefice preaching or writing opinions that were heretical, and yet they would be unable to punish him. There was a provision in the Bill enacting that in case the clergyman, after availing himself of the benefit of the Act, engaged in any ecclesiastical duty, the Bishop of the diocese he had quitted and the Bishop of the diocese to which he went might settle between themselves how far his retiring income might be reduced. But if the clergyman subsequently wrote heretical works or preached doctrines which were not orthodox, he might go to places where there was no diocese and accept, for instance, the charge of a congregation on the coast of Italy, living in a climate much more agreeable than that of England, and drawing not only his Italian salary but also a third of the income of his former benefice. He hoped that the right rev. Prelate would deal with the various questions to which he had pointed attention.

Earl STANHOPE said, that most of these matters would very rightly be considered in Committee; but he did not think that they furnished any ground to resist the present Bill. The noble and learned Lord opposite (Lord Romilly) seemed to treat very lightly the evils of the system as it existed now. But was it a light matter to a parish to find itself tied to an incumbent who had come, perhaps, to that grievous pass of extreme old age—

> "Quæ nec
> Nomina servorum nec vultum agnoscit amici;"

—an incumbent become wholly infirm and incompetent, and able at most to read forth once a week the appointed Services?

Was this a light matter for the feelings of the incumbent himself? Yet how could such an incumbent be expected to retire from his benefice, unless the law provided a fixed though moderate income for the sustenance of himself and his family when he retired? This same measure, in principle, had already been applied to the Bench of Bishops in a temporary Act, and it had already produced the happiest effects. With this view of the question, he (Earl Stanhope) tendered his thanks to the right rev. Prelate (the Bishop of Winchester) for introducing the measure, and he had every hope that, if the second reading were passed, the defects complained of could be remedied in Committee. Much had been said of the rights of patrons: no doubt it was of importance that the rights of patrons should be protected; but still, if the interests of the patron and of the parish should happen to be in conflict, the interests of the parish should certainly prevail.

On Question, That ("now") stand part of the Motion, *resolved* in the *affirmative:* Bill read 2ª accordingly.

House adjourned at a quarter past
Six o'clock, till To-morrow,
half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 20th February, 1871.

MINUTES.]—PUBLIC BILLS — *Ordered—First Reading*—Elections (Parliamentary and Municipal) [45].

First Reading—Stamp Act (1870) Amendment* [46].

Committee—Report—University Tests [6].

Third Reading — Princess Louise's Annuity* [24]; Provisional Order Bills (Committees)* [12], and *passed.*

CARACAS—BRITISH CLAIMS.

QUESTION.

MR. EASTWICK said, he wished to ask the Under Secretary of State for Foreign Affairs, Whether he will lay upon the Table of the House the Proceedings, or Selections from the Proceedings of the Mixed Commission on British Claims which sat in Carácas in 1868, of which Mr. Joel was a member?

VISCOUNT ENFIELD said, in reply, that there would be no objection to present the Reports to which the hon. Member referred, if he thought the matter of sufficient importance; but it was only fair to inform him that the documents in question were very voluminous, extending over 647 pages, and the expense of printing them would cost about £40.

METROPOLIS—LOCAL GOVERNMENT.

QUESTION.

MR. BUXTON said, he would beg to ask the Secretary of State for the Home Department, Whether he has considered the great facility with which London has been provided with the requisite organization for the election of the School Board; and, whether he does not think it probable that he may be able to prepare a measure for the creation of a constitution for the Metropolis in the present year?

MR. BRUCE, in reply, said, his hon. Friend would, he trusted, excuse him if he failed to see the analogy between the creation of a school board and the carrying out of a scheme for the local government of London. The London school board was a mere addition to the existing powers—an addition that was hailed with satisfaction by all the existing authorities. Any system of local government for London that would be worthy of acceptance by the House must interfere with existing institutions, both ancient and modern; and no Government could exercise ordinary prudence which did not foresee that there would be to any such measure a considerable amount of opposition, involving, of course, a great consumption of time. It was after a full consideration of all these circumstances, and with the utmost reluctance, that the Government had decided that they would be unable in the present Session to introduce, in addition to the other measures they intended to propose, a measure of such great importance.

IRELAND—ROYAL RESIDENCE.

QUESTION.

MR. STACPOOLE said, he would beg to ask the First Lord of the Treasury, Whether, having regard to the desire generally expressed in Ireland that there should be a Royal residence in that Country, Her Majesty's Government will propose to Parliament this Session a grant to purchase such suitable residence?

Mr. GLADSTONE: That, Sir, is a question which has been for some time in the view of Her Majesty's Government; but I am not in a condition, at the present moment, to make a positive announcement respecting it to my hon. Friend.

SCOTLAND—ROAD REFORM.

QUESTION.

Sir DAVID WEDDERBURN said, he wished to ask the Lord Advocate, Whether he intends to introduce during this Session a general measure of Road Reform for Scotland?

The LORD ADVOCATE replied that he quite recognized the importance of the subject; but he could not hold out any prospect of the introduction of a measure upon it that Session.

ARMY—VOLUNTEER UNIFORMS.

QUESTION.

Mr. HARVEY LEWIS said, he would beg to ask the Secretary of State for War, Whether Her Majesty's Government have it in contemplation to take steps for obtaining uniformity of colour and pattern in Volunteer uniforms and equipments?

Mr. CARDWELL said, in reply, that he would be very glad to see a greater uniformity in the Volunteer uniforms than existed at present; but these were matters which had always been under the regulation of the Volunteers themselves, and there was no present intention to put any coercion upon them in regard to them.

MEDICAL ACTS.—QUESTION.

Dr. LUSH said, he would beg to ask the Vice President of the Council, Whether it is his intention to bring in any Bill for the amendment of the Medical Acts during the present Session?

Mr. W. E. FORSTER said, in reply, that it was not intended to bring in such a Bill in the present Session.

Mr. Stacpoole

ARMY—MILITARY DISTRICTS.

QUESTION.

Mr. EASTWICK said, he would beg to ask the Secretary of State for War, Whether he will lay upon the Table a pro formâ statement of the Divisions of the Country into Military Districts, showing by examples the numbers of the troops by ranks in each district, and the arrangements for drilling or training the recruits under the new system; and, a general table of the establishment of men and horses in the British Forces, distinguishing the numbers of the men by ranks, and including therein the officers, men, and horses belonging to the administrative and all other departments?

Mr. CARDWELL: Sir, if the hon. Gentleman will move for a Return, I shall be happy to give it, showing the military divisions and sub-divisions and the number of regulars and auxiliary forces in each. The arrangements for drilling and training recruits are not yet completed, and, in consequence of the large number of troops at present in the country, some difficulty is experienced in finding the necessary barrack accommodation. As soon as the arrangements are completed I shall be happy to give them. Nearly all that the hon. Gentleman asks in the second part of his Question is given in the Estimates; but if he wishes to have it in a more compendious form I shall be ready to give it.

METROPOLITAN BOARD OF WORKS.

QUESTION.

Mr. LOCKE said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Her Majesty's Government to introduce this Session any Bill to amend or vary the provisions of the Metropolitan Board of Works Loans Act, 1869; and, if so, whether such Bill would be introduced at an early period; and, if the Government is aware that the Metropolitan Board have introduced three Private Bills which, if passed, would extend their borrowing powers to the amount of £275,000 in excess of the ten millions fixed as the maximum in the said Act of 1869?

Mr. BRUCE, in reply, said, he believed that a Bill was in course of preparation to explain and amend the Board of Works Loans Act, 1869; but it had not yet been finally settled or submitted to the judgment of the Government. As to the three Private Bills to which the hon. Member referred, it was quite true that it was proposed to create stock under the Loans Act to provide the funds necessary to complete the improvements contemplated by those three Bills. Of course, those proposals stood on their own merits; but there was nothing new in their principle, similar Bills having been introduced last Session.

ARMY—ABOLITION OF PURCHASE.

QUESTION.

LORD EUSTACE CECIL said, he would beg to ask the Secretary of State for War, Whether the scheme proposed for promoting Officers by selection above the rank of Captain, in the event of the abolition of purchase, is to be extended to the Ordnance Corps, the Indian Army, the Marines, and the non-purchase branches of the service generally; and, what will be the position of Candidates for direct Commissions who have passed their examinations but have not yet been appointed, and also of those gentlemen whose names are now down for a Commission, and are waiting their turn for examination?

MR. CARDWELL: Sir, the statement I made had no reference to the Native Indian Army, the Marines, or to the Ordnance Corps. The detailed regulations are, as I stated, under the consideration of eminent military officers, and it would be premature to make any statement as to their application or otherwise to the Ordnance Corps. The proposals will not affect the Indian Army or the Marines. There are now, I think, about 500 candidates who have already passed. They will receive commissions in their turn according to the prospect held out to them by the regulations published at the time. The commissions will be without purchase, and will be given subject to any conditions which it may be thought right to impose for insuring competency, of which full notice will be given. As regards those now waiting for examination, they will have to enter the Army through one or other of the modes which may be laid down. Variety seems to be desirable in this respect, and the modes to which I referred as probable were—1. Sandhurst, by competitive examination. 2. Subalterns of the Militia. 3. The Universities, as recommended by the Royal Commission. 4. General public, by competitive examination.

EDUCATION BILL (SCOTLAND).

QUESTION.

DR. LYON PLAYFAIR said, he wished to ask the Lord Advocate, Whether, considering the delay which has taken place in the delivery of the Scotch Education Bill, he still intends to take the Second Reading on this day week? He would also beg to ask when the Bill would be delivered?

THE LORD ADVOCATE, in reply, said, he believed the Bill would be delivered that afternoon and circulated tomorrow. He feared it might not be in his power to take the second reading on the day mentioned; but, if it was, he should not willingly lose that opportunity.

PRISON MINISTERS.—QUESTION.

MR. MAGUIRE said, he would beg to ask the Secretary of State for the Home Department, When he will be prepared to introduce the promised Bill based on the Report of the Select Committee on Prison Ministers of last year; and whether it be the intention of the Government to pass it in the present Session?

MR. BRUCE, in reply, said, a Bill had been prepared based on the Report of the Select Committee that sat last year. He was unable at present to name the day when it would be introduced; but he hoped it would be an early one, and that the measure would receive the sanction of the House that Session.

TREATY OF PARIS (1856).—QUESTION

LORD JOHN MANNERS said, he would beg to ask the First Lord of the Treasury, Whether he will lay upon the Table the Despatches to which Sir Andrew Buchanan refers (page 13 of Correspondence respecting the Treaty of March 30, 1856) in the following sentence:—

> "I have long foreseen that a proposal on the part of Russia for the revision of the Treaty would not be long delayed; and I have frequently expressed this opinion to your Lordship and to the late Earl of Clarendon?"

Mr. GLADSTONE: It is quite true, Sir, that the noble Lord has quoted correctly from Sir Andrew Buchanan's expressions on this question, and it is also quite true that despatches have been received from time to time from Sir Andrew Buchanan intimating his expectation that, in all likelihood, Russia would, within a limited period, ask for the revision of the Treaty. But those have been confidential despatches; they were expressive of the surmises and anticipations of Sir Andrew Buchanan, and we do not think it would be desirable to produce them. It is fair to say that those anticipations of Sir Andrew Buchanan did not apparently refer to any proceedings such as were taken last autumn; they were anticipations of a proceeding which would have been, to all appearance, a perfectly legitimate and regular one—namely, an application to the Powers for the reconsideration of some parts of the Treaty.

ARMY—MILITARY LABOUR.

QUESTION.

Mr. HANBURY-TRACY said, he would beg to ask the Secretary of State for War, Whether the Committee which he stated early last Session had been appointed by His Royal Highness the Commander-in-Chief to draw up Regulations for extending the system of "Military Labour to Military Works," and for enabling every man in the Army desirous of working at a trade to obtain employment, have made any Report; and, if so, if he has any objection to lay it upon the Table of the House?

Mr. CARDWELL replied that he would have no objection to lay the Report in question upon the Table.

SCOTLAND—TITLES TO LAND.

QUESTION.

Mr. GORDON said, he wished to ask the Lord Advocate, Whether it is his intention to introduce a Bill relating to the Titles to Land and other Heritable Rights in Scotland; and, if so, whether he will name an early day on which to introduce such Bill, so as to afford sufficient time for consideration of its provisions?

The LORD ADVOCATE, in reply, said, it was his intention to introduce a Bill upon the subject referred to in the hon. Member's Question, and also one dealing with the law of entail; but he was not at present in a position to name a day for the introduction of those measures.

ARMY ORGANIZATION BILL.

QUESTION.

Sir JOHN PAKINGTON: Sir, I wish to take this opportunity of putting a Question to the Secretary of State for War, of which I have given him private Notice, with reference to the course which he proposes to take in the future with respect to the measure he has submitted to this House on the subject of the organization of the Army. The second reading of the Army Organization Bill stands fixed for Thursday next; but, of course, I presume that the right hon. Gentleman does not intend to press the measure forward on that day, in face of the fact that hon. Members have not yet seen the Bill. The position in which we now stand is this—that after an elaborate and interesting statement from the right hon. Gentleman we are left in the middle of an adjourned debate upon the number of men to be granted. The point on which I am anxious for information is this, Whether the right hon. Gentleman intends to take a full discussion upon the whole of this large scheme upon going into Committee of Supply, or upon the second reading of the Army Organization Bill? I understand that copies of the Bill will be in the hands of hon. Members to-morrow; and, under those circumstances, I venture to express a hope that the Government will not unduly force on the discussion upon it. I should hope that the discussion would not be taken until next Thursday week.

Mr. CARDWELL: Sir, it is most important that full time should be given to the House for consideration of the measure before they are called upon to express an opinion upon it. I hope that the Bill will be in the hands of hon. Members to-morrow. I also think that in a measure of this kind the second reading of the Bill affords the natural and legitimate opportunity for a full discussion of the proposal it contains. I am anxious to make all reasonable progress with the Bill; but still, I think, every hon. Member should have a fair opportunity of examining the provisions of the measure. I therefore do not propose to fix the second reading of the Bill earlier than Thursday week.

Mr. WHITE said, he wished to know whether the right hon. Gentleman proposes to make the Army Estimates or the Army Organization Bill the first Order of the Day for Thursday week?

Mr. CARDWELL: I propose, Sir, that the second reading of the Army Organization Bill should precede the Army Estimates.

ARMY ORGANIZATION BILL—ABOLITION OF PURCHASE.—QUESTIONS.

In reply to Mr. Guest,

Mr. CARDWELL said, the intention is to indemnify officers out of a public fund for that which they will no longer receive from a private one in respect of the regulation and customary price of their present commissions. What, therefore, they would have received before they will receive now, and this extends to claims under Section 1,069 of the Royal Warrant.

Mr. BRISTOWE said, he would beg to ask the Secretary of State for War, Whether those gentlemen who had passed out of Sandhurst and were now waiting for Commissions were still to have precedence over those who had passed their examinations for direct Commissions, but had not yet been gazetted; whether gentlemen who had passed out of Sandhurst were all to stand in one list for Commissions, irrespective of their names being down for purchase or not; and, whether all gentlemen were to have their Commissions free, or were some to have them free and some by purchase?

Mr. CARDWELL: Those who have passed out of Sandhurst, and are waiting for commissions, will still have precedence over the others who have passed. Those who have passed out of Sandhurst will all stand on one list—the A list first, and the B second. All are to be without purchase. The commissions given without purchase will, of course, not be saleable.

THE ANGLO-AMERICAN COMMISSION.

QUESTION.

Mr. MACFIE said, he would beg to ask the First Lord of the Treasury, Whether he has received information that statements have appeared in several of the New York journals that the Commissioners had been empowered to take into consideration an offer by the United States for the purchase of all the British North-American Colonies; whether Her Majesty's Government had received any such proposal; and, whether the Government Instructions to the Commissioners do not entirely preclude them from taking into consideration such a proposal for the diminution of the Empire?

Mr. GLADSTONE: Sir, we have received no such proposal as that mentioned by my hon. Friend, and I am in a state of total and absolute ignorance upon the subject. But I may, perhaps, be permitted to say, further, that I hope that while the negotiations in America are in progress, the hon. Member will not think it necessary to ask questions in this House founded upon mere anonymous authorities.

NEUTRALIZATION OF THE BLACK SEA TREATY OF PARIS (1856).

OBSERVATION.

Sir HENRY LYTTON BULWER said, he wished to draw the attention of the Under Secretary of State for Foreign Affairs to the circumstance that it was erroneously stated in the Blue Book relating to the Treaty of 1856, that he had passed the Dardanelles in 1868, instead of 1864.

Viscount ENFIELD explained that it was a typographical error, which would be corrected in any subsequent issues of the Papers. He was obliged to his right hon. Friend for calling his attention to the matter. The correct date at which he had passed the Dardanelles was in September, 1862, and attention had been first called to this by the Russian Ambassador at Constantinople.

DUCHY OF LANCASTER.

PERSONAL EXPLANATION.

Sir ROBERT PEEL said, he trusted the House would accord him its favour while he withdrew a word which he had used in addressing the House on Thursday last. In referring to the case of the accounts of the Duchy of Lancaster, and in intending to say that those accounts might advantageously be submitted to considerable revision, he had made use of the word "corruption"—a word which he now wished to withdraw. Anyone accustomed to speak in that House would know how difficult it was to keep watch and ward over every word, and he had used the word "corruption" unadvisedly, and certainly not in the sense that had since been attributed to it by some persons. He should much regret giving pain to anyone, and therefore he wished most unreservedly to withdraw the expression.

UNIVERSITY TESTS BILL—[Bill 6.]

(*Mr. Dodson, Mr. Gladstone, Mr. Solicitor General, Mr. Goschen.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Gladstone.*)

Mr. VERNON HARCOURT rose to put a question to the right hon. Gentleman at the head of the Government with reference to this measure. The foundation of this Bill was that it should apply to "Colleges and Universities now subsisting," not to such as might be created in the future. That was the case with the measure introduced last year, and it would be in the recollection of hon. Members that a discussion then ensued upon his Motion that the words "now subsisting" should be omitted, and that the right hon. Gentleman entered into a compromise with respect to the matter under which he undertook, in the event of the Amendment not being pressed, that the Government would introduce a separate Bill, with the view of providing that a charter should not be granted to any College or University for the future without the consent of Parliament. He now wished to ask the right hon. Gentleman whether it was the intention of the Government to carry, *pari passû* with the present measure, a Bill such as the one he had referred to?

Mr. GLADSTONE said, that subject to a certain reservation, he thought his hon. and learned Friend was accurate in the reference he had made to the circumstances of last year; but that reservation was this—that it was never intended on the part of the Government, nor was it ever stated, as far as he understood or remembered, that they did intend to make the power of granting charters hereafter subject to the consent of Parliament, or to impose any limitation which did not now exist in the prerogative. What was said, according to his recollection and that of the Solicitor General, was this—that provision should be made that the grant of charters to Colleges or Universities should be so regulated that Parliament should have an opportunity of objecting to it. He had to apologize to the House for having omitted to refer to the matter before, and he would take care that a provision was introduced with the view of carrying out the undertaking of last year.

Mr. NEWDEGATE said, the question whether Her Majesty's Government would sanction the establishment by charter of a Roman Catholic University had been strongly agitated, and he hoped the hon. Member who had recently addressed the House would have an opportunity, in the course of this discussion of stating whether his question had reference to the establishment of such an University, or to the founding of a new University in connection with the Church of England, which was about to be divorced from the existing Universities. The business before the House related to both these subjects; for the Bill under discussion was one step towards the disestablishment of the Church of England, and the Bill standing next upon the Paper (the Ecclesiastical Titles Act Repeal Bill) was one which would, if passed, make a long stride towards the establishment of the Church of Rome.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 and 2 *agreed to.*

Clause 3 (Persons taking lay academical degrees or holding lay academical or collegiate offices not to be required to subscribe any formulary of faith, &c.).

Mr. STEVENSON moved, in page 2, lines 8 and 9, to leave out "other than a degree in divinity," his object being to make the body of the Bill more consistent with the intention of the Bill as disclosed in the Preamble than it then was. He moved a similar Amendment last year, when he received the support of a majority of independent Liberal Members. He was met with the objection that if persons not members of the Church of England were allowed to take divinity degrees in the Universities it would be impossible to exclude them from the Professorial chairs in theology. He did not think this consequence would follow, as the Church must always have the power of appointing to its theological

Professorships only such persons as were in its opinion theologically sound; and in addition there would be this other safeguard that, as a rule, the occupancy of and emoluments attached to professorial chairs in theology were attached to livings in the Church. All he desired was to remove the barrier which Parliament had imposed by passing the Act of Uniformity and which Parliament ought now to remove. In the University of Glasgow any person who had obtained the degree of M.A., and had passed through a theological course, either in England or Scotland, was entitled, after passing a satisfactory examination, to proceed to the degree of B.D., the subsequent degree of D.D. being simply matter for a further examination in proof of higher theological scholarship. There was no necessity for declaring adhesion to the Established Church of the country. In the other Scotch Universities the principle was substantially the same, though the details were different in some particulars. He dismissed as utterly improbable the fear that opening the divinity degrees in the Universities would be sought by the enemies of Christianity as a footing for attacking its truths. But, apart from that consideration, he moved his Amendment on the broad ground that all University degrees ought not to be confined to the members of one particular Church, but should be free to all.

Amendment proposed, in page 2, lines 8 and 9, to leave out the words "other than a degree in divinity."—(*Mr. Stevenson.*)

MR. GLADSTONE: I shall not attempt, on this occasion, to enter at large into the discussion of the Motion of my hon. Friend; but all that I would say bearing on the merits of the proposition is that, according to the account he has given of the Motion, it is perfectly plain it would not go far enough to effect the object he has in view, so far as the practice established in our ancient Universities in England is concerned. And it would not do this, because my hon. Friend says he would not take away the limitation upon the appointment of the Professors who constitute the theological faculty; but it is evident that if he left the Professors subject to the operation of an exclusive test the candidates for degrees who belong to other forms of religion would be in the very peculiar and anomalous position of being liable to be judged exclusively by persons of another faith; and it would be very difficult, indeed, for them to be certain that a perfect impartiality would be exercised in passing judgment upon them. There are many other difficulties in the Motion on which I will not detain the Committee at length; but I must observe that I do not quite understand where it is my hon. Friend wishes to stop. He wishes to have degrees in divinity thrown open; but what is divinity? He says he wishes that the Professors of different Churches should be allowed to obtain their certificates of proficiency in a particular form; but what, again, are Churches? For example, is there a Buddhist Church, and would not my hon. Friend require a test if he wished to prevent Buddhists obtaining divinity degrees in English Universities? By Churches, he probably means the various fragments of the Christian world. I do not know; but it is quite evident that if he means to admit all those who profess Christianity in some form or other to degrees in divinity, and to exclude all who do not, he must discover and provide by law some test in order to determine what is Christianity and what is not. My hon. Friend has not done this. The truth is—his proposal is not in a shape in which it can take practical effect. But I do not intend to do more than point out what appeared to me the defect of my hon. Friend's proposal; I do not intend at all to enter upon the merits of his proposal, because, so far as the Government are concerned, we should be wasting the time of the Committee if we did so. The Government has already ventured to acquaint the House—I use the term "venture" advisedly—that we regard this proceeding as a sequel to what took place last year. We propose to send to the House of Lords the Bill which we sent last year. So far, therefore, as the Government are concerned, it is a question of going forward with this Bill. We do not think it expedient to send to the House of Lords a Bill differing materially from the Bill we sent last year. Consequently, it is not in my power to accept the Amendment of my hon. Friend; and, that being so, it is better that I should waive any lengthened discussion upon its merits. The very same remark, I am bound to say, will apply to the other Amendments that are on the Paper. The Amendment of my hon. Friend opposite (Mr. C. Bentinck) it would not be in our power, under any consideration, to adopt; and with regard to the Amendment of my hon. Friend the Member for Brighton (Mr. Fawcett), my hon. Friend near me (the Solicitor General) will say a word on that subject. The plan now before the House is the only plan that we, as a Government, can go upon on the present occasion. We wish this matter to be brought to a speedy issue. If our plan fail, my hon. Friend, or anyone else, will have an opportunity of trying a different proposal. With these few words, I have only to say that I am sorry to be obliged to say "No" to the Amendment.

DR. LYON PLAYFAIR: This Bill has reached its present condition from the strong desire of the nation that our great Universities should open up their means of culture and knowledge to all classes of the people. If the Bill be only partial in its operation, then the desire to render these institutions truly national has not been fully accomplished. The Preamble to the Bill is comprehensive in its aspirations, and the securities which it reserves for religious instruction are in no way affected by the Amendment of my hon. Friend (Mr. Stevenson). There are three superior Faculties in the Universities — those of Medicine, Law, and Divinity—all of them professing to teach their several kinds of knowledge, and to give degrees as evidence of an acquired culture in them. In two, as well as in the Faculty of Arts, the Bill proposes to dissever knowledge from belief; but, in one of them, it keeps knowledge and belief in the Episcopal Church firmly bound together. Is there any good reason for the exception? The answer made to us last year by the right hon. Gentleman at the head of the Government is that a degree really means ability to teach the knowledge embraced in it, and that it would be anomalous to confer a degree in theology in a University unless the graduate were allowed to teach in that University. I do not deny that the right hon. Gentleman is correct as a question of ancient University history, and that the title of graduate did imply power to teach. So did the title of Esquire once mean that of shield-bearer to a knight; but its special meaning is now obsolete, and so is that of a degree. The title of B.A. certainly does not imply that its possessor is capable of acting as a University teacher, but simply that he possesses a certain amount of culture—generally, indeed, vastly inferior to that of a Tutor or Professor. So completely had degrees lost their original meaning that from the period of the Restoration to the year 1800 the degree of B.A. was given without examination, and simply indicated four years of pupilary residence, and therefore an unknown quantity of knowledge. Well, that is very nearly the position that the degree of B.D. is in at the present time. It has no significance either of high learning or of teaching power. The University of Oxford has cast off its legitimate duties of examination upon the Bishops of the Episcopal Church, for its only evidence of the learning and capacity of the candidate is that he shall be in Priest's Orders, the whole of the University duty being to hear three sermons on subjects contained in the Holy Scriptures. I would prefer to speak of the degrees as being those of theology rather than of divinity, for the former indicates the science of the subject with which we were dealing. Now, I think it will be of great value to these degrees if they are made subjects of knowledge, but not merely of a particular form of belief, for then the University would be forced to resume its proper functions of examination. The field of theological science is a wide one, and ought in national Universities to be open to the members of every Church. The right hon. Gentleman at the head of the Government asks what subjects could be included in such degrees, and how are they to be defined? I will reply by reading an extract from the *Edinburgh University Calendar*—

> "This degree shall be conferred only after the candidate has completed his theological curriculum with a view to the ministry in the Church or denomination to which he belongs, and after he has passed a satisfactory examination in the various branches of theology which are taught in the University—namely, the Evidences of Revealed Religion, Systematic Theology, Hebrew, Ecclesiastical History, Biblical Criticism, and Biblical Antiquities."

Surely, this curriculum is large enough to distinguish theology as a science. In this scheme there is no exclusion of any kind. A Unitarian or a Roman Catholic may take a degree, provided that, in addition to a knowledge of their own dogmas, they are able also to explain the answers which the Trinitarians would give to the former and the Protestants to the latter. The candidates are not asked to express any particular form of belief, far less a special form of it laid down by law, but only to exhibit what they know; and knowledge of dogmas is a part of systematic theology. The Scotch Universities even accept a theological curriculum outside of themselves; but the Amendment of my hon. Friend does not hope to achieve such an instance of liberality. In conclusion, I support his Amendment, because I believe that it will render our Universities wholly national, and because it will raise the standard of theological degrees by fixing upon the Universities their proper functions of examination, and restoring to such degrees those securities of culture and knowledge which their possession professes to imply.

MR. BERESFORD HOPE said, he was much obliged to the hon. Gentleman for the very candid admission which he had just made. The hon. Gentleman said the scope of this Bill was to emancipate two out of the three great branches of knowledge from belief. The hon. Gentleman wanted to emancipate the third — theology. Therefore they had the admission plainly and roundly from his own mouth that there was such a thing as unbelieving theology—that theology or divinity might be consistent with unbelief. It was evident that it was his intention, and the intention of the hon. Member who moved this Amendment (Mr. Stevenson), and he supposed of that mysterious majority of independent Liberals who supported the Government, to separate theology from belief, and to set up a great standard of unbelief as the scope of the religious teaching in our English Universities. The hon. Member who had just spoken, notwithstanding his learning and acuteness, had, he regretted to say, committed two great blunders. The hon. Member said he used the word "theology" rather than "divinity," because he assumed it to be of some different colour. But the word "divinity" was simply derived from the Latin word for God, and the word "theology" from the Greek word for God. That was the only difference. But then the hon. Gentleman appealed to the old idea that a degree implied teaching, and he talked of emancipating degrees of divinity from the control of the Bishops. Was the hon. Gentleman aware that a person could not take the first degree in divinity till seven years after he had obtained a Master's degree? But, to come to the main question, how were they to work the plan of granting degrees in theology to unbelievers? Were the existing faculties to be the examiners, or was there to be a separate external Board? Or, in the third place, were they to duplicate, triplicate, or multiply twenty-fold the different degrees of divinity? Were all the different denominations to have their own degrees? He traversed the suggestion of the hon. Gentleman that there was any great feeling among the sects of the country for opening the divinity degrees. No doubt the movement for opening the Universities was generally popular, and this Bill was the legitimate expression of it; but there was no expression of a desire on the part of any Nonconformist body for opening the theological degrees, because they knew they could not do so without diminishing their power to enforce their own belief on their own ministers. They knew that to open the divinity degree would be to make a latitudinarian degree. He should certainly vote against the Amendment.

MR. BUXTON, in supporting the Amendment, said the principle of the Bill was that the Universities ought not to belong to the Church of England, but to the whole country. The desire to carry out that principle was the motive which actuated those who had supported the various Bills for the abolition of tests in the Universities. He could not understand why the hon. Gentleman opposite (Mr. B. Hope) should wish to retain the few miserable scraps remaining of the old system. Now, one of the tests which his hon. Friend (Mr. Stevenson) wished to remove had for its object to confine certain degrees in the University to members of the Church of England. His hon. Friend opposite (Mr. B. Hope) argued that the test must be retained because divinity was of a certain character. He (Mr. Buxton) altogether denied that. He ventured to think there was a science of theology which had no connection with one Church more than another, and it was that, and that alone, which Professors of Theology ought to be permitted to teach. He thought it was most desirable that a Bill like the present, which embodied so important a principle, should be a complete and consistent measure, should carry out that distinctive principle to the uttermost, and should make our Universities just as much the property and privilege of the Nonconformists as of the members of the Established Church.

MR. B. SAMUELSON rose to take notice of an expression of the right hon. Gentleman at the head of the Government, that the Bill was a sequel of the events of last Session. On the contrary, he believed that, in the opinion of those out-of-doors, and of a majority of those who supported the right hon. Gentleman in that House, this Bill was not regarded as the proper sequel of the events of last Session. The only fit and legitimate sequel to the dilatory action of the House of Lords would have been a Bill abolishing all religious distinctions whatever in reference to the degrees, honours, and privileges of our Universities; and it would be better that this Bill should not pass than that it should pass in its present shape, retaining any portions, no matter how small, of those distinctions. The hon. Member for the University of Cambridge (Mr. B. Hope) had spoken of dissociating belief from divinity, and he went on to speak of unbelief. Now, he begged to remark that certain persons were too fond of charging with unbelief those who did not hold the same belief as themselves; but he would remind the Committee that sincere and earnest belief might very well exist quite independently of belief in the theological dogmas of the Church of England. The time had certainly come to assert this principle, seeing that Convocation had recently ejected from the task of Biblical revision a most distinguished and competent scholar, simply because his religious opinions differed in some respects from those of the Episcopal Bench. There was a time when the theologians of this country ranked high among their brethren in the world; but he was afraid that that time had gone by, and if they were to put an end to criticism by a hard and fast line like that imposed by the Act of Uniformity, he did not believe the theology of this country would ever re-gain the position which he should like to see it hold as a science.

Mr. Buxton

MR. HORSMAN said, he had not intended to take any part in this discussion, and rose merely to notice a most extraordinary misrepresentation by the hon. Member for Cambridge University (Mr. B. Hope) of a remark which had fallen from the hon. Member for the Edinburgh and St. Andrew's Universities (Dr. Lyon Playfair). The hon. Member opposite had said that his hon. Friend had advocated that theology should be emancipated from belief—that was, from any belief. But that was not the recommendation of his hon. Friend, for what he had said was that he wished theology to be emancipated from the belief imposed by law—in other words, from Church of England belief. Was that unreasonable or wrong? It seemed to him quite the contrary. It meant, in fact, the emancipation of men from the immorality of conforming with their lips to points of doctrine which many who took the test did not believe in their hearts. He had always been a strong opponent of tests for that very reason; and not only for what they excluded, but also for what they admitted. They were injurious to religion; they diminished the sanctity of oaths; and while they opened the door wide to infidels, they shut it in the face of many conscientious believers. No argument was necessary in these days to prove the uselessness of tests as means for securing uniformity of opinion in the Church. Was it not well known that every diversity of belief and unbelief was to be found in those Governing Bodies that had taken all those tests; aye, and even among the clergy of the Church of England itself? Hon. Gentlemen talked of unity of belief as the great duty and advantage. Did they attain it? Were not the diversities of belief in the Church of England a daily scandal, its weakness and its shame? How many tests had been taken from the day of his first degree to that of his consecration by Bishop Colenso? Had not the High Church and the Low Church parties censured the Prime Minister for having appointed to a bishopric a contributor to the *Essays and Reviews?* From the first day that he entered the House he had always been an enemy of tests. He had opposed them on every occasion, and he should therefore feel bound to support the Amendment.

MR. BERESFORD HOPE trusted that when the right hon. Gentleman (Mr. Horsman) again read him a lecture he would inform himself of the point at issue and of the general course of the debate. No one was talking of tests. The question under discussion was divinity degrees, for which no one could be a candidate who was not in Orders in the Church of England. All who had addressed the Committee before the right hon. Gentleman had spoken to the point, though on different sides.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:*—Ayes 185; Noes 140: Majority 45.

MR. FAWCETT rose to propose an Amendment, the object of which, he said, was to render the Bill more complete, logical, and satisfactory. If it were carried the result would be that clerical as well as lay tests would be abolished, and those restrictions done away with which were imposed in favour of clerical Fellowships and Headships. No proposal, he ventured to state, would meet with a more unanimous support from the Liberals throughout the country than that which he was about to make, and there was not one of them, he felt assured, who would not concur in the opinion that a measure which should continue clerical Fellowships and Headships would not provide a solution of the question at issue even for a single hour. The Committee were well aware of the injustice and the wrong which were inflicted on distinguished students at the Universities, who, after an illustrious career there, were, at the last moment, because they did not happen to belong to the Church of England, deprived of honours which were much coveted and prized. He would not take up the time of hon. Members by entering into the history of such exclusiveness; the country had condemned it, and it was now maintained only by the vote of an irresponsible branch of the Legislature. Mischievous and unjust as were lay tests, clerical tests were not less so in their influence. Anyone who was acquainted with the Universities must be aware of the baneful effect which was produced on young men of 22 or 23 by prizes of £300 a year and a valuable position, tempting them to enter into Holy Orders at a time when their characters and tastes were still unformed, and thus to take an ill-considered step, which afterwards they found it impossible to retrace. Many hon. Members would, no doubt, be surprised to hear that if the Bill were to pass in its present shape one-third of the Fellowships and three-fourths of the Headships at Oxford would be left untouched by its provisions. At Cambridge nearly three-fourths of the Headships and the most valuable of the Fellowships could only be held by persons in Holy Orders. It was a mockery, therefore, to say that this measure would make the Universities great national institutions to which all Her Majesty's subjects, of whatever religious opinions, would be admitted on fair and equitable terms. The Prime Minister did not dispute that the principle advocated by the Amendment was a sound one, nor that clerical Fellowships were indefensible, but gave the extraordinary reason for supporting it that it was necessary to the success of the Bill to send it up to the other House in the same form in which it had been presented last Session. Suppose, being anxious in the same way to consult the feelings of the Peers, the right hon. Gentleman had introduced last year only a partial measure for the disendowment and disestablishment of the Irish Church, and the Peers had practically rejected it by referring the Bill to a Select Committee! He (Mr. Fawcett) did not wish to be disrespectful to the House of Lords; but he thought the best way to treat that Assembly, as well as political opponents in this House, was to be perfectly fair and candid with them. It was not well to send up a measure to the other House with a reservation behind it that a larger proposal should supplement it by-and-by. The fairest plan was to say at once what measure would satisfy the country and the Liberal party in this House. He was sure the Upper House would much more appreciate such a policy. Without pretending to speak in the name of either, he believed he was echoing an opinion shared by many when he said that a settlement of the question would not be obtained and that no solution would be satisfactory until they abolished not only lay tests, but also clerical tests, from our Universities. The hon. Member for Bristol (Mr. Morley), on the opening day of the Session, had stated that it was the wish of the great majority of the nation to settle the question for ever. It was with that view he (Mr. Fawcett) proposed the Amendment. After an agitation which had lasted ten years the Universities required peace and repose. Many men there who were originally in favour of maintaining these tests would say—"Do not let this question be treated piecemeal; if tests are to be abolished, let them be abolished once for all." With such a majority as they had in that House, it was not creditable to the Liberal party to toy and retain what he could not abstain from calling these miserable snips and remnants of ecclesiastical ascendency. With their abolition, and not till then, the Universities would become great national institutions, all classes being equally entitled to the advantages which those ancient seats of learning afforded. The hon. Gentleman concluded by moving to leave out Proviso 1.

Amendment proposed, in page 2, to leave out from the words "Provided, That," in line 28, to the word "office," in line 38."—(*Mr. Fawcett.*)

Mr. OSBORNE MORGAN said, he had voted against the Amendment last year, but he intended to support it on the present occasion. The principle involved in it was really the principle of the Bill. The question was whether you were entitled to look to a man's theological opinions in considering whether he was entitled to obtain a Fellowship. To his mind the present system was putting a premium upon hypocrisy, and he doubted whether the men got by that bait were worth the having. The whole of the conditions on which Fellowships were held wanted revision. Celibacy, for example, was an absurd condition. So was the condition that a man who had land worth £300 a year must not hold a Fellowship; whereas if he made £5,000 a year at the Bar or £50,000 by commerce it did not matter. He once knew a former Member of that House, a Queen's Counsel, who was a Fellow of Cambridge for 52 years, and who never entered the doors of his College except for the purpose of punishing its wines. He thought the question of Fellowships should be dealt with as a whole.

Sir FRANCIS GOLDSMID said, that the right hon. Gentleman at the head of the Government had taken the conduct of the Bill, which had last Session been introduced by the Solicitor General, not because the First Minister believed that he or anyone else could conduct it more ably than the Solicitor General had conducted it, but in order to mark, in the most emphatic way, that it was to be considered as a Government measure. In return for the greater chance which this would afford of the Bill passing, was it unfair that even those who were strongly in favour of the Amendment should be expected to yield to the wish of the Minister that the Bill should be left in its present shape; that they should be expected to say—"As men looking to the practical result of our actions, we cannot vote for the Amendment because Ministers inform us that thereby the Bill will be imperilled, and, indeed, intimate that it will be impossible for them to carry it up to the House of Lords if this Amendment is adopted?" He (Sir Francis Goldsmid) heard Gentlemen cheer just now, because the minority in favour of the former Amendment was larger than had been expected; but if the minority had been converted into a majority, would they have cheered then? If they would, that cheer would have been the knell of the measure. ["No!"] Under this impression, as he would never vote in a minority simply because it was a minority, and as he was convinced that the success of the Amendment would be fatal to the Bill, he thought that, though abstractedly favourable to the Amendment, he was acting quite consistently, as a practical man, in voting against it.

Lord EDMOND FITZMAURICE said, the Amendment had been declared to be alien from the character of the Bill. Now, what was the object and character of the Bill? The object of the Bill was to completely overthrow religious inequality at the Universities; but how could anyone admit this object would be carried out as long as the holding of certain Fellowships was confined not only to the members of, but actually to the clergy of, a particular sect? The Amendment of the hon. Member for Brighton (Mr. Fawcett) had been objected to last year on the ground that serious practical difficulties would prevent its being carried out; but those practical difficulties really amounted to next to nothing, and the Amendment of this year, which had been drawn by gentlemen of great experience in such matters, completely avoided them. It had been said, too, that the Amendment would destroy the prospect of the Bill passing the House of Lords; he, however, thought it would be a material aid to that end. It might be argued that, considering how ready the House of Lords had been to throw out moderate Bills, a violent measure might stand as good a chance with them; in any case they would have the opportunity of sending the Bill back without the Amendment, and passing the rest of it on the basis of the surrender of the clerical Fellowships by this House. That was the really practical view of the matter. He had been in the habit of dividing clerical Fellows into two classes, clerical Fellows with white ties and clerical Fellows without white ties. The first class opposed almost every proposal to liberalize the Colleges; and though they acted from the purest motives, their actions had been by no means beneficial. The other class comprised those gentlemen who took Holy Orders for no other purpose but to enable them to hold Fellowships; for immediately they acquired the position they put aside all the outward and visible signs of the inward and spiritual grace, which they knew they did not possess, and became, to all appearance, non-clerical. It was hard to say which of these two classes it was most desirable to get rid of—the first, which obstructed all progress, or the other, which poisoned it at its source. On a full consideration of the matter he could come to no other conclusion than that those on the Ministerial side of the House should unhesitatingly vote with the hon. Member for Brighton.

THE SOLICITOR GENERAL presumed it would be no surprise to the hon. Member for Brighton (Mr. Fawcett) to hear that the Government could not possibly accept the Amendment he had proposed; and, although it was no doubt true of the majority of those who sat on that side of the House, as the hon. Member had stated, that they owed their seats mainly to the Nonconformist body—certainly it was his own case as the representative of the city of Exeter—yet the Government did not think that by rejecting this Amendment they did anything to disentitle them to the future support of any fair judging Nonconformist. First of all, whatever might be the opinion of academical reformers within the walls of the Universities, there had been no external action taken by them in any such direction. A deputation, representing a number of the most important Nonconforming Bodies in the country, had an interview with the right hon. Gentleman at the head of the Government, and they deliberately desired that the measure should go up in its present shape with whatever aid the influence of the Government could lend it. Nor did he think that the Government were doing anything inconsistent with the desires of non-academical reformers, being moved by the hope that it would thus speedily become law. The object of the Bill was simply to render the Universities and the Colleges within them, in matters of academical degrees and offices, just as they would have been if no Act of Parliament had been passed in an opposite direction; it repealed all restrictions placed on the Universities by Acts of Parliament; it left untouched all such restrictions as were imposed by their own statutes. To do more than to deal with Parliamentary restriction would be to go beyond the province of the Bill, and in this the Government assumed an intelligent position, which they were entitled to maintain in the face of the House of Commons. Personally, however, he freely admitted, he believed, in common with any fair-minded man on the other side of the House, that the present condition of the Fellowship question was not satisfactory or could be maintained. In fact, it needed speedy amendment. In 1854 the Government of the day endeavoured, in vain, to induce the House of Commons to legislate upon it; but legislation was refused. So far as he knew about his own University, those who were most in earnest for the reform of Oxford were of opinion that there was not at present sufficient information to enable them to legislate satisfactorily or finally on a question which required such great care. It would be understood that he was not speaking to bind anyone but himself; yet, certainly, for his own part, he should be glad to see a proper inquiry ordered into the state of the Colleges and the funds of the Colleges—a thoroughly searching inquiry to ascertain what were the academical resources of the Colleges, and how they could be best applied for fulfilling the objects for which they were designed. By this Amendment it was proposed to deal with only one fragment of the very complicated questions arising out of the statutes. It was proposed to repeal a test which was no test at all—a College statute indicating that certain persons, members of Colleges, should be put to an academical test. The Government dealt with the word test in this Bill in the ordinary acceptation of the word, and left perfectly untouched the anomalies pointed out, because they were connected with another branch of the Bill. Of course, if the anomaly existed of a man with an income of £5,000 holding a Fellowship of £300, it should be at once remedied. The objection to requiring Fellows to be celibates was not so sound, because some difficulty would be found in governing the Colleges of Oxford by a set of married Fellows. He hoped that the great party on which the Government had to lean for support would see that this was a practical question, and not merely one upon which they ought to vote for the sake of giving a vote. The measure had been brought in *bonâ fide* for the purpose of passing it, and they had every hope that if it were allowed to be pressed forward this year it would be passed into law. It would be a great and beneficial change, both in the Universities and the Colleges as it stood, and he trusted the Committee would do nothing to prevent its passing in its present shape, which was the only form in which it could pass with the approval of the Government.

MR. SERJEANT SIMON said, the reasoning of his hon. and learned Friend (the Solicitor General) had failed to convince him. His hon. and learned Friend had said that the Amendment proposed was part of a great question which would have to be dealt with separately; but it was just that part with which the present Bill purported to deal. The preamble of the Bill recited that it was a "Bill for the Abolition of Tests." Now, he could see no distinction in principle between imposing tests at the outset of a man's University career, and telling him ultimately that he would be deprived of the fruits of his learning and intellectual superiority if, within a given time, he did not enter into Holy Orders. In fact, unless this Amendment were adopted, the Bill would be inconsistent. His hon. Friend the Member for Reading (Sir Francis Goldsmid) seemed to imply that hon. Members who were going to support this Amendment would do so because they knew they would be voting in a minority. He voted on the last occasion, as he should do in the coming Division, with no expectation of being in a minority; and he could only regret that the minority was composed of men who were among the most earnest supporters of Her Majesty's Government. He gave full credit to the right hon. Gentleman at the head of the Government for his desire to give effect to the claims of the Nonconformists; but the Government were mistaken in the course which they had adopted. He, for one, could not understand why more respect had been shown to the House of Lords, who had rejected the Bill, than to the great bulk of the Liberal party, who had voted for it. Nor could he understand how respect would be shown to the House of Lords by sending them back the Bill in the same form in which it had been before them on the last occasion. He regretted to find himself at variance with the right hon. Gentleman; but he felt bound to vote for the Amendment.

SIR FRANCIS GOLDSMID explained that he had not intended to express any opinion about the expectations with which hon. Members had voted for the Amendment.

MR. GLADSTONE: My hon. and learned Friend the Member for Dewsbury (Mr. Serjeant Simon) has referred, in very kind terms, to the feelings by which we have been influenced in introducing this Bill, and has shown every disposition to appreciate the position in which we find ourselves placed. I will not go over the general argument of the Solicitor General, because I subscribe to everything which he has stated. Everyone conversant with the state of the Universities will admit that the whole subject of Fellowships requires to be dealt with in a comprehensive manner. This is no new opinion of mine. When the Bill relating to the Universities was introduced in 1854 it was framed very carefully with this object in view; but we found that the difficulties of the time and the circumstances were so great, and the House was so unwilling to entertain the subject, and to deal extensively with the conditions attaching to the tenure of Fellowships, that we were compelled to recede from our undertaking. I wish to grapple with the leading proposition of my hon. and learned Friend who has just sat down. My hon. and learned Friend has made an appeal to me, and I will in turn make one to him. He says it is not respectful to the House of Lords to send back to them a measure which they have rejected. Now, the House of Lords, in the exercise of its discretion—I refer to this as a matter of history—thought fit not to pass this Bill; but they did not reject it. It may be said by those who are disposed to take a strict view of the proceedings of the House of Lords, that they adopted an indirect method of getting rid of it. Any hon. Member who chooses is freely at liberty to entertain and urge that opinion. Her Majesty's Government are not free to urge it; it would not be fair or just, in our view, to say that the House of Lords had taken an oblique course for the purpose of getting rid, indirectly, of what they did not choose to get rid of directly. Consider the facts. It was on the 14th of July that the Bill was presented to the House of Lords last year, and it was the first time that it had been presented to them as a positively enacting measure, and as a measure introduced upon the responsibility of the Government. At that moment we had just sent to the House of Lords the Irish Land Bill and the English Education Bill, in addition to all the other measures of the Session. There were also circumstances connected with the University of Oxford in particular to which I might refer; but I think it would be a harsh and uncharitable judgment to pass upon the House of Lords—much as I regret their proceedings—if we were to assume that their Lordships had definitively rejected this very measure. The Bill is one which has been taken into the hands of the Government, in compliance with the wishes of the great bulk of its supporters; and we, as a Government, are bound to deal with it in accordance with those principles of respect which should regulate the conduct of the Government in dealing with the other branch of the Legislature. We were met last year by the House of Lords with a request for information which we considered totally unnecessary. But remembering that the House of Lords arrived at a different conclusion, and that the search for information made it impossible for them to proceed with the Bill last year, we should have failed in our duty to that House if we had not taken the opportunity of allowing them again to consider the very same measure which they had not rejected, but laid aside. And we should equally have failed in our duty to the supporters of the measure in the House of Commons if we had not used our best diligence and exertion to introduce the Bill at the commencement of the Session, and to pass it with all the expedition and despatch in our power. I was rather surprised at the speech of the hon. Member for Reading (Sir Francis Goldsmid), in which he laid such stress upon the supposed relations between the Government and the House of Lords; but the hon. Gentleman is quite right in supposing that we are desirous that the measure should go to the House of Lords under circumstances giving it the best chance of passing into law. I do not presume to find fault with those who take a different course; but in undertaking the conduct of this Bill, we did not conceal what we thought to be right and possible in the position in which we then stood. Those who are interested in this measure, after learning the decision of the Government, still persist in the request that we should undertake the conduct of the measure, and urge it forward as we best could. It is under these circumstances that we ask the Committee to vote against the Amendment.

MR. HORSMAN reminded the Committee that those hon. Gentlemen who intended to vote for the Amendment would not be adopting any new course in consequence of the rejection of the Bill by the House of Lords last year. The course of the Government was quite consistent. They introduced the Bill last year, and adhered to it in the shape in which it was introduced and proposed to the House of Lords. The course of those who agreed with the hon. Member for Brighton (Mr. Fawcett) was quite as consistent, because they proposed and voted last year for the Amendments for which they were now going to vote. Consequently, whatever had been done by the House of Lords had no effect upon their proceedings. He voted this year as he voted last year; he voted on the same Resolution, and upon the same principles, and he would not be a party to perpetuating any religious tests in the Universities.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:* — Ayes 182; Noes 160: Majority 22.

AYES.

Adderley, rt. hon. Sir C.
Amory, J. H.
Annesley, hon. Col. H.
Arkwright, A. P.
Ayrton, rt. hon. A. S.
Baggallay, Sir R.
Bagwell, J.
Bailey, Sir J. R.
Baring, T.
Barrow, W. H.
Barttelot, Colonel
Bathurst, A. A.
Baxter, W. E.
Bazley, Sir T.
Beach, W. W. B.
Bentinck, G. C.
Bentinck, G. W. P.
Beresford, Lt.-Col. M.
Bourke, hon. R.
Bourne, Colonel
Bowmont, Marquess of
Brassey, T.
Bristowe, S. B.
Bruce, rt. hon. Lord E.
Bruce, rt. hon. H. A.
Buller, Sir E. M.
Bury, Viscount
Cardwell, rt. hon. E.
Cartwright, F.
Cartwright, W. C.
Castlerosse, Viscount
Cave, right hon. S.
Cavendish, Lord F. C.
Cavendish, Lord G.
Cecil, Lord E. H. B. G.
Chambers, T.
Charley, W. T.
Cole, Col. hon. H. A.
Coleridge, Sir J. D.
Collier, Sir R. P.
Corbett, Colonel
Corrigan, Sir D.
Corry, rt. hon. H. T. L.
Cowper-Temple, right hon. W.
Crawford, R. W.
Cross, R. A.
Cubitt, G.
Dalrymple, C.
Damer, Capt. Dawson-
Davison, J. R.
Denison, C. B.
Dickinson, S. S.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Dowse, R.
Duff, M. E. G.
Duncombe, hon. Col.
Du Pre, C. G.
Dyke, W. H.
Eastwick, E. B.
Eaton, H. W.
Egerton, hon. A. F.
Egerton, Capt. hon. F.
Elliot, G.
Enfield, Viscount
Ewing, A. O.
Feilden, H. M.
Fellowes, E.
FitzGerald, right hon. Lord O. A.
Forde, Colonel
Forester, rt. hon. Gen.
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Fowler, R. N.
Gavin, Major
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldney, G.
Goldsmid, Sir F.
Gooch, Sir D.
Gore, W. R. O.
Goschen, rt. hon. G. J.
Graves, S. R.
Greene, E.
Gregory, G. B.
Greville, hon. Captain
Grosvenor, hon. N.
Guest, M. J.
Gurney, rt. hon. R.
Hambro, C.
Hamilton, Lord C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hanmer, Sir J.
Hardy, rt. hon. G.
Hardy, J. S.
Hartington, Marquess of
Henley, rt. hon. J. W.
Hermon, E.
Hibbert, J. T.
Hick, J.
Hill, A. S.
Holford, J. P. G.
Holt, J. M.
Hope, A. J. B. B.
Ingram, H. F. M.
Jardine, R.
Jenkinson, Sir G. S.
Kennaway, J. H.
Keown, W.
Knatchbull-Hugessen, E. H.
Lacon, Sir E. H. K.
Laird, J.
Lambert, N. G.
Lancaster, J.
Learmonth, A.
Lefevre, G. J. S.
Lewis, J. H.
Lindsay, hon. Col. C.
Lindsay, Col. R. L.
Lowther, J.
Lowther, W.
Mackintosh, E. W.
Mahon, Viscount
Manners, rt. hn. Lord J.
Matheson, A.
Matthews, H.
Maxwell, W. H.
Meyrick, T.
Milles, hon. G. W.
Mills, C. H.
Mitford, W. T.
Monsell, rt. hon. W.
Montgomery, Sir G. G.
Morgan, C. O.
Morley, S.
Newport, Viscount
Nicholson, W.
Noel, hon. G. J.
North, Colonel
O'Conor, D. M.
O'Conor Don, The
O'Reilly, M. W.
O'Reilly-Dease, M.
Palmer, Sir R.
Parker, C. S.
Patten, rt. hon. Col. W.
Peek, H. W.
Peel, A. W.
Percy, Earl
Raikes, H. C.
Ridley, M. W.
Round, J.
Royston, Viscount
Russell, A.
Sandon, Viscount
Sclater-Booth, G.
Scourfield, J. H.
Selwin-Ibbetson, Sir H. J.
Smith, A.
Smith, F. C.
Smith, S. G.
Smith, W. H.
Stacpoole, W.
Stansfeld, rt. hon. J.
Steere, L.
Stepney, Colonel
Storks, Sir H. K.
Straight, D.
Sykes, C.
Talbot, J. G.
Vickers, S.
Vivian, Capt. hn. J.C.W.
Walker, Major G. G.
Walsh, hon. A.
Waters, G.
Wheelhouse, W. S. J.
Whitbread, S.
Wilmot, H.
Yarmouth, Earl of
Young, G.

TELLERS.

Adam, W. P.
Glyn, G. G.

NOES.

Amcotts, Col. W. C.
Anderson, G.
Anstruther, Sir R.
Armitstead, G.
Baines, E.
Bass, A.
Beaumont, S. A.
Beaumont, W. B.
Bentall, E. H.
Biddulph, M.
Bolckow, H. W. F.
Bowring, E. A.
Brand, H. R.
Brewer, Dr.
Bright, J. (Manchester)
Brinckman, Captain
Brown, A. H.
Browne, G. E.
Cadogan, hon. F. W.
Campbell, H.
Candlish, J.
Carington, hn. Capt. W.
Carnegie, hon. C.
Carter, Mr. Alderman
Clay, J.
Clifford, C. C.
Craufurd, E. H. J.
Dalglish, R.
Davies, R.
Digby, K. T.
Dilke, Sir C. W.
Dixon, G.
Edwardes, hon. Col. W.
Edwards, H.
Ellice, E.
Erskine, Admiral J. E.
Ewing, H. E. C.
Eykyn, R.
Fagan, Captain
Fawcett, H.
Finnie, W.
Fletcher, I.
Fordyce, W. D.
Forster, C.
Fortescue, hon. D. F.
Fothergill, R.
Fowler, W.
Gilpin, C.
Goldsmid, J.
Gourley, E. T.
Gower, hon. E. F. L.
Graham, W.
Gregory, W. H.
Greville-Nugent, hon. G. F.
Grieve, J. J.
Grove, T. F.
Hamilton, J. G. C.
Harcourt, W. G. G. V. V.
Hardcastle, J. A.
Haviland-Burke, E.
Headlam, rt. hon. T. E.
Herbert, hon. A. E. W.
Hoare, Sir H. A.
Hodgkinson, G.
Hodgson, K. D.
Holland, S.
Holms, J.

Horsman, rt. hon. E.
Howard, hon. C. W. G.
Howard, J.
Hughes, T.
Hurst, R. H.
James, H.
Johnston, A.
Kinnaird, hon. A. F.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Leatham, E. A.
Leeman, G.
Lewis, J. D.
Loch, G.
Locke, J.
Lubbock, Sir J.
Lush, Dr.
Lusk, A.
M'Arthur, W.
M'Clure, T.
Macfie, R. A.
M'Lagan, P.
M'Laren, D.
M'Mahon, P.
Magniac, C.
Maguire, J. F.
Maitland, Sir A. C. R. G.
Marling, S. S.
Merry, J.
Miall, E.
Miller, J.
Mitchell, T. A.
Monk, C. J.
Morgan, G. O.
Morrison, W.
Mundella, A. J.
Nicol, J. D.
Norwood, C. M.
O'Brien, Sir P.
O'Loghlen, rt. hon. Sir C. M.
Otway, A. J.
Palmer, J. H.
Parry, L. Jones-
Pease, J. W.
Pelham, Lord
Philips, R. N.
Playfair, L.
Plimsoll, S.
Potter, E.
Potter, T. B.
Reed, C.
Richard, H.
Rothschild, Brn. L. N. de
Rothschild, N. M. de
Russell, H.
Russell, Sir W.
Rylands, P.
St. Aubyn, J.
Salomons, Sir D.
Samuelson, B.
Samuelson, H. B.
Sartoris, E. J.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Simon, Mr. Serjeant
Smith, E.
Smith, J. B.
Stapleton, J.
Stevenson, J. C.
Stone, W. H.
Strutt, hon. H.
Stuart, Colonel
Synan, E. J.
Taylor, P. A.
Tollemache, hon. F. J.
Torrens, R. R.
Torrens, W. T. M'C.
Tracy, hon. C. R. D. Hanbury-
Trelawny, Sir J. S.
Trevelyan, G. O.
Villiers, rt. hon. C. P.
Vivian, A. P.
Wedderburn, Sir D.
West, H. W.
Wethered, T. O.
White, J.
Whitwell, J.
Williams, W.
Williamson, Sir H.
Wingfield, Sir C.
Winterbotham, H. S. P.
Young, A. W.

TELLERS.
Buxton, C.
Fitzmaurice, Lord E.

MR. FAWCETT said, it was not his intention to move the additional clauses of which he had given Notice, as they all had reference to the question raised by the Amendment which had just been rejected. But he thought it right to say this—that the answer was a very remarkable one, for probably a Liberal Government, on a question involving Liberal principles, had never found so few of their supporters voting with them, and been opposed by so many of their strongest and best supporters. He ventured to express a hope that the Government would ponder well upon this matter, and that the constituencies would also look to it. He would not now move the new clauses of which he had given Notice, but he would raise the point again upon the Report.

MR. GLADSTONE said, the hon. Member having stated that he hoped the Government would ponder upon this subject, his answer was that they had done so; that their decision was taken, and that it was irrevocable. Of course, the hon. Gentleman could take whatever course he pleased.

MR. FAWCETT moved, so that he might be in order in addressing the Committee, that the Chairman be directed to report Progress. He had not meant to say that the right hon. Gentleman had not pondered upon this question; but it was impossible for the right hon. Gentleman, or for anyone else, to have known beforehand that the question which was rejected by a large majority last Session would have been carried by the narrow majority of 22, made up almost entirely by Conservative votes, this Session. What he asked the right hon. Gentleman to do was to consider not the question itself, but the strong and almost unanimous wish expressed on this subject by his strongest and his best supporters.

MR. GLADSTONE assured his hon. Friend, when he said they had pondered this question, he did not mean that he was not sensible of the sentiments so strongly expressed, under such circumstances, by so large a proportion of those who sat on that (the Ministerial) side of the House. He did not undervalue the vote in the slightest degree; but if a Government had stated its decision, and if that decision had been taken in consequence of what it felt to be due from itself as the Executive of the country to one branch of the Legislature, his hon. Friend's candour would show him that it was impossible to uproot that decision in deference to any state of parties represented by a minority in the House of Commons. He did not speak in the slightest degree under the influence of impatience or disappointment; but he simply meant to convey to the hon. Member, in order that he might not be deceived, their settled purpose not to deviate from a perfectly clear and indisputable position of the constitutional duty of the Government in their relations to another branch of the Legislature.

MR. FAWCETT said, he would withdraw his Motion for reporting Progress.

Motion, by leave, *withdrawn.*

MR. CAVENDISH BENTINCK, in moving, in page 2, line 44, after sub-section 2 insert the following:—

"3. Nothing in this Act shall open any office to any person who is not a member of the Church of England where such office is by the intention of the founder or donor confined to a member of the said Church, and where the income of such office is payable out of the produce of property or moneys given by private persons out of their own resources since the year one thousand five hundred and sixty-two,"

said, that last year the House had not the advantage of the presence of the right hon. Gentleman at the head of the Government when they were discussing this question, and, indeed, he had observed that until quite recently the right hon. Gentleman had never been able to look it in the face. Very probably the right hon. Gentleman recollected the number of years during which he was a consistent opponent of the Bill, and it was only since he had been compelled by the pressure of his supporters to introduce the measure as one belonging to the Government that he had been good enough to give the House the benefit of his presence on these discussions. The right hon. Gentleman, in introducing the measure, said the controversy was almost exhausted, and he defied human ingenuity to introduce any novelty into it; but to-night he had had the advantage of seeing that a vast deal of novelty might be introduced into it, and that many of his own supporters would be satisfied with nothing less than the total disestablishment of the Church of England and the abolition of religious education. The speeches which had been made by hon. Gentlemen below the Gangway on the Ministerial side of the House, showed clearly that concession to those hon. Gentlemen was of no use whatever, but would only lead to further demands, and that their Nonconformist supporters would be satisfied with neither more nor less than the utter destruction of the rights of property. The principle of the Amendment which he (Mr. C. Bentinck) now offered to the House was, that when a private person out of his own private resources contributed to or created an endowment for any particular purpose, that endowment ought to stand. That principle was consistent with justice, with equity, and with a due regard to the rights of property, and it had always been acknowledged by the laws of that country. The antecedents of the right hon. Gentleman on this subject were somewhat peculiar. While he was Member for the University of Oxford he always opposed this Bill, and even for two years subsequent to his defeat in 1856 he either abstained from voting or voted against the Bill of the right hon. Member for Kilmarnock (Mr. Bouverie) to abolish the Act of Uniformity. But on the 16th of March, 1868, the right hon. Gentleman rose in his place and denounced all Establishments by declaring against that of the Church of Ireland; and in the following month of July he went into the same Lobby with the right hon. Member for Kilmarnock and the hon. and learned Solicitor General on the University Tests Bill, without offering one word of apology or one word in defence of his conduct. The following year—1869—the right hon. Gentleman brought in his Irish Church Bill; and in that Bill the Government incorporated a proposal exactly similar to that which was embodied in the Amendment, the words of which were taken from the clause in the measure referred to. The ground taken then was that gifts of the property of private persons from private sources should be respected, going back as far as 1660—a date which neither the right hon. Gentleman himself nor anyone else could give any logical reason for choosing. The right hon. Gentleman stated the conditions that ought to attach to such gifts—first, that each ought to be a contribution or endowment from the private resources of a private person; second, that it ought to be devoted to the maintenance of some particular religion; and, third, that it ought to be clear what the religion was. In the other House it was arranged that a lump sum should be taken by the Church in respect of these private endowments. He desired to know what reason there was why the same principle should not be applied to the private endowments of the English Universities. It was impossible to say that the former case, being that of a Church, constituted a difference, for many of the foundations in the Colleges within the Universities were designed to educate men for the ministry of the Church. A great confusion existed in the minds of some with reference to the term "University." It was said that the Universities should be thrown open to all men—and so they were to a very great extent. It was competent for any religious body to create an endowment in one of our Universities, and employ it for the education of members of their particular community. Very few restrictions remained to be removed to throw the Universities open to all Her Majesty's subjects; and he did not apprehend that any considerable number of Members on his own side of the House would object to a measure having that effect only. This measure, however, effected more, for it took property which, according to law, and according to the intentions of the founder, was devoted to the Church of England, from that Church. The grievance alleged by hon. Members opposite, below the Gangway, was that a non-member of the Church of England could not enjoy the privilege of a Fellowship. Could he enjoy the benefit of any other endowment founded by a private person under similar restrictions? Certainly not. Mr. Aldis, a Baptist, who took a high degree at Cambridge a few years ago, and who did not take a Fellowship, had published a pamphlet on the subject of the University Tests, which contained some great misrepresentations. Among other things he stated, in answer to the objection that the Fellowships were private foundations derived from the bequests of members of the Church of England, and that therefore it would be an infraction of the laws of property to throw them open to Nonconformists, that the objection was untrue, for all the Colleges at Cambridge, except three, were founded before the Reformation, and that therefore if they were founded for the benefit of any particular religion it must have been the Roman Catholic one. But Dr. Guest, a most distinguished member of the University of Cambridge, had shown that that statement was far removed from the truth, and that in his own College—King's College—£6,000 a year was derived from endowments given since the Reformation, while 22 Fellowships out of 32, and most of the Scholarships, had been founded since 1658. Dr. Guest went on to say that the Solicitor General proposed to sweep away all those benefactions, and that it would be just as fair for him to lay his hands on Mr. Spurgeon's Tabernacle, and convert it to national uses. If the principle of this Bill were adopted where were we to stop? Last year the Roman Catholics protested against any investigation being made into their property, and it was well known that both in this country and in Ireland they possessed a large amount of private property applied to religious uses; and why should their property be untouched if the property of the Church of England were dealt with in this way? The present Bill had neither logic nor sense to support it—it was a measure of simple confiscation, which might ultimately hit the Nonconformists and the Roman Catholics as hard as it hit the Church of England at the present moment. He quite agreed with his hon. and learned Friend the Solicitor General that the Fellowships were not in a satisfactory state. It was never intended that they should be what they had become—a kind of speculation for undergraduates who went up at a comparatively late period of life, well crammed. Their object was to encourage learning in the university and the better instruction of the Undergraduates at less cost to themselves. The hon. and junior Member for Brighton (Mr. Fawcett) was a Fellow of a College himself—not an honorary Fellow, but a Fellow receiving dividends. He was also a Professor, in receipt of a considerable salary from the University Chest. He was a pluralist, and not only a pluralist, but an abuse. He hoped, therefore, the hon. and junior Member for Brighton would repent, and either immediately resign his Fellowship or his Professorship. ["Divide!"] Considering that hon. Gentlemen below the Gangway on the other side of the House had occupied two hours in badgering the Government, he thought they ought to allow him a quarter of an hour in which to state an intelligible principle. They always wished to stop discussion unless the discussion came from their own part of the House. With regard to the Roman Catholic Members of the House, they were bound by those who sent them to defend every scrap of property belonging to their Church; but seeing that their own endowments at Maynooth had been respected by Parliament, he did not see how they could possibly vote for the confiscation of the private property of the Church of England. He believed that the majority of the Nonconformists of this country did not desire to see the Church of England disestablished, or its University property confiscated; and so far as the Government were concerned, he called upon the right hon. Gentleman at the head of the Government, if he had any particle of political principle left, to abide by his own decision, never yet revoked, and his own principle, never yet denied but used in support of the Irish Church Bill.

Mr. GLADSTONE said, he did not think the Motion of the hon. Gentleman should be entertained. The hon. Member said that in the case of the Irish Church Bill the Government proposed to reserve to the Church — a religious body about to be disestablished — such of its possessions as might fairly be considered to be in the nature, upon the whole, of donations for the support of a particular religion. If they were able to disestablish the religious education of the Universities at one stroke by this Bill, as they disestablished the Irish Church, he would not say that there might not be a very fair argument to be made in support of some proposition of this kind for the purpose of saving the special character of special foundations. But such was not the effect of this Bill. When it was first introduced many of its supporters were in the habit of urging that it left behind ample securities for religious education in the Universities and Colleges. That was his opinion, and without entertaining a conviction of that kind he could not have brought himself to give his support to the measure; and he thought that the House would be of opinion that in connection with a Bill which did not prohibit the religion of the Church of England, and which did not detach absolutely all the emoluments of the Universities from the offices and professions connected with the Church of England, it would be entirely premature and out of place to except from its operation any of those endowments of the Universities or Colleges which were not in the nature of private bequests.

Mr. G. B. GREGORY said, he was unable to see the distinction drawn by the right hon. Gentleman. This Bill, to a certain extent, did disestablish—or, at all events, it diverted—property from one object and applied it to another, different from that intended by the founders. These being trusts under the wills of the founders, the Bill was not dealing with matters under an Act of Parliament, but with private wills and deeds. The acceptance of the Amendment would have the effect of promoting further consideration of the subject of Fellowships, in regard to which there were many questions deserving of discussion. For instance, there was some doubt as to whether life Fellowships were advantageous, and whether the holders of such offices were not deprived of a healthy stimulus to cultivate their intellectual powers, and were not diverted from pursuits which would be honourable to themselves, and useful to society. He could assure the Committee that recent legislation had had the effect of making men think very carefully about the application of these properties to purposes of this kind, for they felt at present that they had no guarantee that their bequests would not be appropriated to uses which they had never contemplated.

Mr. NEWDEGATE said, he had been on a Committee which had inquired respecting a great mass of property provided by Roman Catholics for establishing convents and monasteries. The Roman Catholics professed that they were obliged to keep their trusts secret in order to save their property, as the purposes to which it was appropriated were contrary to law. Now, some of the supporters of the present Bill voted against the appointment of that Committee, with the view of preserving that property thus illegally held, and would have the House divert from its purposes property which was legally held. Such a tendency in legislation showed that Liberalism inclined towards Communism, and he, for one, objected to transferring to other objects property which was now legally and beneficially applied to specified purposes.

Mr. CAVENDISH BENTINCK said, that after what had fallen from the right hon. Gentleman, and having regard to the hour of the night, he thought he should be doing better service by allowing the Bill to go in its integrity than by pressing his Motion. He would, therefore, withdraw his Motion.

Motion, by leave, *withdrawn.*

Clause *agreed to.*

Remaining clauses *agreed to.*

Bill *reported,* without Amendment; to be read the third time upon *Thursday.*

ELECTIONS (PARLIAMENTARY AND MUNICIPAL) BILL.

LEAVE. FIRST READING.

MR. W. E. FORSTER, in moving for leave to bring in a Bill to amend the Laws relating to procedure at Parliamentary and Municipal Elections, and for other purposes connected therewith, said: Sir, I feel that an apology is due from me to the House for bringing forward this Bill, when it would naturally expect it to be done by my noble Friend (the Marquess of Hartington), who brought forward a similar Bill last year with so much ability, and who also acted as Chairman of the Select Committee appointed by the House to inquire into this subject. The reason why I have charge of the measure is that it requires not only to be introduced, but if its principle is—as I trust it will be on the second reading — accepted by the House, it will then have to be carried through Committee; and it is doubtful whether my noble Friend, with the duties of the Office that he now has to fulfil, would be able to give his time to this matter. The same remark applies also to my right hon. Friend the Secretary of State for the Home Department. With regard to myself, although I have a good deal of administrative work to do, as I have no legislative work at present in hand, it fell to me to take charge of this Bill. I shall not, however, take advantage of that fact to trespass on the attention of the House with arguments on the abstract question of the Ballot. The question has been debated so frequently in the House, and the opinion of the House has been pronounced upon it so clearly, that I do not think it necessary to occupy its time with the arguments for and against the abstract principle of the Ballot. I may just briefly state that almost from the very first moment when I took part in politics I have been in favour of the Ballot, on the ground that bribery and intimidation are two of the greatest evils we have to contend with in connection with our Parliamentary and representative system—and that the best way to prevent an evil is to stop the cause of it. The best way to prevent a crime is to stop the motives of that crime; and I conceive that the Ballot is by far the most likely mode of removing from men the temptation either to bribe or intimidate. On that ground I have always thought we should be more successful by the Ballot than by Corrupt Practices Acts, or by penalties, however stringent, in averting the evils so often complained of at our elections. Another ground for the adoption of the Ballot is, I think, that we have no right, in imposing on any man the duty of returning a representative, to expose him to great danger, especially when we can guard him against that danger, and protect him by so simple a mode. Even our opponents will acknowledge that the Ballot will have the advantage of enabling us to conduct our elections in an easier, quieter, and more orderly manner. I think, indeed, nobody disputes that, comparing the elections in other parts of the world where the Ballot prevails with our own elections, where it does not prevail, the advantages of peace, order, and quietness in voting are much in favour of the Ballot, and this is an argument that applies with greater force as we increase the number of the electors. I just make these few remarks to show why I myself have long felt a great interest in this question, and, as I have said, I will not detain the House with arguments on the abstract question of the Ballot, although if it should hereafter be debated, I shall do my best to defend it. I, therefore, at once proceed to that part of the statement which hon. Members will expect me to make—namely, that which refers to any changes which have been made in this Bill as compared with the one brought in last year by my noble Friend (the Marquess of Hartington). I do not think I need dwell on those parts of the Bill which are the same as in the former Bill, because they were explained with such great clearness by my noble Friend—I mean the provisions as to the manner in which the Ballot was to be taken and in which the nominations were to be conducted. I may here state that one change which has been mentioned is not made in the Bill. I have seen it stated that possibly a permissive Ballot would be introduced; but I cannot conceive any question to which the permissive principle of legislation would be applied with less advantage than to the Ballot. The result of having a permissive Ballot would be that we should make the Ballot the subject of a reform agitation in every constituency in the kingdom—a most undesirable result; and if there be one matter on which it is more important that the House should give a clear opinion than another it is the mode in which its Members should be elected—a mode which ought to be the same throughout the country. Well, the first great change made from the Bill of last year is that we now include municipal voting along with Parliamentary voting. The grounds on which we have made that change are these—In the first place, the Report of the Committee stated that there was reason for adopting the Ballot in municipal elections almost, if not quite, as much as in Parliamentary elections. My own impression is, that there is perhaps not so much intimidation at municipal elections, although they are not without it; there is a great deal of influence on the part of men of property and employers, but not perhaps that gross form of intimidation that we have to complain of at Parliamentary elections. But there is a great deal of treating and bribery, though not perhaps with such large sums; and, at any rate, the municipal elections stand in this position—that they are so frequently made use of as a preparation for the Parliamentary elections that it is clear that any attempt to stop the evils of the one ought to be extended also to the other. In addition to that, it almost seems to me there is a particular evil connected with the mode of voting at municipal elections, and that is voting by voting papers, which the voter takes in, and which he may have signed before taking them in. Undoubtedly the plan of getting the voting papers filled up by the voters in the case of the election of guardians seems more especially to open the door to influence. The voting paper is delivered at a man's house and left with him for two or three days, and at any moment during that time any person may go to his house and either bribe or influence him to give his vote. The vote at municipal elections can, of course, be given only at a certain time; but it is open to the kind of influence I have mentioned. We have thought that if the Ballot should be established for the one class of elections, it ought to be also for the other; and I believe I may state that my noble Friend would have included a municipal Ballot in his Bill for instituting a Parliamentary Ballot if it had been thought at the time that precisely the same sort of Ballot would be applicable to the two kinds of elections. It was always intended that, after the establishment of a Parliamentary Ballot, there should be a municipal Ballot; but with the information they possessed last year the Government thought it might be necessary to take steps for the identification of Parliamentary votes after they had been given which would not have been requisite for municipal votes; and, therefore, it was deemed better to keep the two Bills distinct. This year we do not think that that necessity exists. And that brings me to the second change in our Bill, which is one of considerable importance, though one of detail, referring to the mode of taking votes by Ballot. In any Bill providing for vote by Ballot two conditions are necessary as to the machinery and manner of taking it. In the first place, I think all hon. Members will admit that the mode of taking the vote must be as simple as possible. I have had charge of this question but a very short time; but in that time the number of complicated machines for taking the Ballot that have been brought before me has quite astonished me at the wonderful ingenuity of those who take an interest in this matter. I dare say, if it had been a matter connected with my factory, I should have looked upon these contrivances with a great deal of interest and attention, as modes of manufacturing an article; but, in this particular case, we want them to be as simple as possible. It is not merely a machine that is very good if always skilfully handled and kept in good order that you require, but one that may be very badly handled, because the number of officials and people with whom you have to deal in the whole range of your voting are, many of them, so unacquainted with any complicated details that you must expect mistakes will be made wherever they can be made. The voters themselves will often be persons well qualified to say whom they prefer as their representatives, and yet unable to enter into the details of any complicated arrangement that would be successful if they did precisely as they were told, and did it also at the right time. I was quite surprised, at the late elections for the London school board, to find in how many cases men of great intelligence—although I gave them as few directions as possible—were unable to understand how they were bound to record their votes. I was afterwards told of two or three instances where it was signed, and in one case by a member of an electioneering firm, who had taken part in a great many elections throughout the country. We must therefore keep the machinery as simple as possible. The next condition that we have to fulfil is a very important one, because the very essence of the Ballot is that it should be completely secret. By that expression I mean that a voter should not be able to prove to anyone how he has voted, because were he able to do so the object of the Ballot would be defeated, inasmuch as the person who tried to bribe or to intimidate him can demand from him, as the condition of his receiving the bribe or avoiding the danger he puts over his head, that he should prove to him how he has voted. You are, therefore, paltering with the question unless you make up your mind that if you have the Ballot it shall be such a Ballot that the voter shall be prevented from proving how he has voted. In the Bill brought forward by my noble Friend (the Marquess of Hartington) last year, these conditions were almost entirely fulfilled, and the provisions relating to them have been repeated in the present measure. We require that no paper except the official paper shall be used—that is to say, that the object of the Ballot shall not be defeated by the use of a somewhat similar paper, which would enable it to be ascertained how the vote had been given. Another condition contained in the Bill of last year has also been adopted in the present measure, and that is, that the voting paper shall not be given to the voter until he enters the voting booth. This is a most important point, because in reviewing the results of the French elections under the Ballot system I have found that almost all the evils that have followed in their train have been occasioned by the fact that the Governments of the day, whether Republican or Imperial, have been accustomed to give the voting paper to the voter before he enters the booth. The third condition of the Bill of last year is also contained in the present measure—namely, that the voter shall not be permitted to put any mark on his voting paper except that which is sufficient for him to show for whom he has voted. The vote will, therefore, be cancelled and void if the voter signs his name or takes any steps in respect of his voting to prove that he is the person who has given that vote. Having stated what are the objects of the Ballot and the stipulations necessary to secure them, I must now mention that there are three dangers for which I at once admit the Ballot system is obnoxious, and against which we have to guard. The first of those dangers is that the voting papers may be tampered with by the officials having charge of the election, or by persons of influence who might by some means get hold of them; the second is the possibility of the voting papers being forged; and the third is the danger—which I do not myself apprehend, but which I know is feared by some hon. Members, and which we must guard against as much as possible—of the possible increase in personation, arising from the supposition that personation may be easier under the Ballot than under the present system. The first two of these dangers are peculiar to the Ballot, but the third does not apply to it specially. I will deal with the last of these dangers first, because I regard it as being the most important of them. It would be very unjust to charge the Ballot with giving rise to personation. Personation exists under the present system. Many hon. Members know that personation votes have been recorded against them, and there may be others who, in the inward recesses of their own consciences, suspect that personation votes have been recorded in their favour. If we had the most secret of all possible systems of Ballot, without any possibility of identifying the votes afterwards, there would still be nothing to prevent the voter from being followed, if he votes, although it may be impossible to follow the vote. I heard it stated in the course of the election for the London school board that it was quite possible for a man to "vote early and vote often;" but I only wish that any hon. Members who agree with that remark had tried the experiment, because nothing is easier than that the name of each voter as he comes to the poll should be ticked off, by which means an attempt on his part to vote a second time would be at once discovered, when the man would be arrested and punished. Therefore, under the Ballot there is about as much danger of a man voting a second time as there is under the present system, but no more. I suppose that under the present system a reckless man may go from one polling-booth to another and so record his vote twice; but that such a thing should be possible is due to the manner in which the register is kept, and not to the method in which the vote is recorded. Now, let us take the case of a man voting in place of somebody else. I do not think it will be asserted that the Ballot would invent that form of improper voting, which is not unknown under the present system. If the perpetrator of such a fraud is discovered under the Ballot, he can, as under the present system, be arrested and punished. The probability of such a fraud being successful is just as likely under the existing plan as it would be under the Ballot. It has been argued that under the present system the vote could be followed and struck out; whereas under the Ballot the vote must stand, however illegally it may have been given. In order to meet this danger many plans have been devised for having a possible scrutiny. My noble Friend (the Marquess of Hartington) in his Bill of last year sought to achieve this object by adopting a system of counterfoils, and I believe that to be the best plan that could be devised for the purpose. The hon. Member for Huddersfield (Mr. Leatham), whose name I cannot refrain from mentioning with honour in connection with the Ballot, suggested that some mark should be made upon the voting paper with invisible ink, which might be rendered visible by chemical means, and thus, as by a recording angel, the iniquity of the voter should be brought before the court. But although I myself prefer the plan of my noble Friend we came to the conclusion that it was not necessary to adopt either of the propositions. In the first place, by adopting either of them we should be taking away very much from the simplicity of the mode of voting; and, secondly, however careful we might be in devising regulations for conducting the arrangements according to the principles of the Ballot, it was felt that if we are to have the Ballot at all we ought to have it complete, so that the voter shall have perfect confidence that his vote will be secret. I have argued the question hitherto upon the assumption that it is desirable we should follow the vote, but I may now ask why we should attempt to follow the vote at all. No advocate of the Ballot proposes to enable this scrutiny to be made or the secresy of the vote to be violated, except in the case of the voter being found guilty of bribery and the vote being condemned as invalid in due course of law. In neither the Bill of the noble Lord nor in that of the hon. Member for Huddersfield was it proposed that a vote should be struck out until it had been proved to be invalid in a Court of Law—in fact, until the personation had been found out. Therefore, the inducement to detect the particular vote disappears, because the vote must have been detected already before it would be possible to attack it. It would have been necessary that some person should have had a strong suspicion that A had personated B, and that, having that suspicion, he should have brought the matter before a Court of Law, and that the Court of Law should have declared that he had proved his case before any scrutiny could have been made. Thus the motive to follow up and to attack the vote would have been reduced to the very slightest possible. The man who would be inclined to put this machinery in motion would do so in order to unseat his opponent. The object hitherto in presenting an election petition has been to unseat the sitting Member for bribery, or other illegal practice, rather than to obtain a seat by a scrutiny. The cases in which scrutinies have been demanded have been very few indeed. We all know that in a very bad case the expense is so enormous that the parties almost always stop short before they reach the point of a scrutiny. I am, however, very desirous that the result of this Bill should be to diminish rather than to increase personation, and in framing the measure I found an omission in the last Corrupt Practices Act the remedy for which would give a defence against personation much stronger than any possible scrutiny could give. I found that although a man loses his seat for bribing or treating, or attempting to bribe or treat, either personally or by his agents, he does not lose his seat for procuring or attempting to procure personation, but is simply guilty of a misdemeanour. We propose, therefore, to insert a clause placing the attempt at personation on the same ground as treating, and that a candidate who has had recourse to it shall be liable to be unseated. Another argument in favour of following the vote is that, if in a Court of Law it has been proved that a candidate has received a personated vote, it would be unfair for him—especially if the numbers ran close—to have the credit of the vote in the final result. We acknowledge this, and have provided that, where in a case of re-opening the question of the number of votes it is found that a personated vote has been given, a vote shall then be struck off from the total votes of the candidate who, through himself or his agents, has been proved to instigate personation, and at the same time we provide that where an elector tendering his vote finds some one else has voted for him the vote shall be kept aside and under certain circumstances counted for the candidate in whose favour he had intended to vote. This is a legal question somewhat difficult of explanation; but I think hon. Members will find on examination that we have succeeded in framing a measure which will, if passed, render personation much less likely to occur than it is at the present moment. I now come to one or two dangers which are peculiar to the Ballot. The first is that of tampering with the voting papers, and in regard to that we do not propose to make much difference between our measure and that introduced by my noble Friend last year. We propose that when a voting paper has once been put into the ballot-box the box shall not be opened except under such precautions as shall secure the inviolability of the vote. The second danger is much greater, and requires to be more carefully guarded against than that of personation — I allude to the possibility of forged voting papers being used. My noble Friend's Bill guarded against that by his system of counterfoils, and my hon. Friend the Member for Huddersfield (Mr. Leatham) also proposed a plan with the same object; but, as we had decided to do without either counterfoils or invisible ink, it remained for us to consider how we should guard against the danger. I think we have entirely met the case by adopting this simple precaution—the returning officer, as he gives out his paper to each voter, shall impress it with a stamp, the character of which he shall be bound to keep secret, and which shall not be used again until a certain fixed time shall have expired. Then, when the boxes come to be opened, each unstamped voting paper shall be rejected as void. This is a course which will, I think, do away entirely with the danger of forged papers being used. I now come to a change in the second part of the Bill of last year for the prevention of corrupt practices. That, again, is a matter for very few words, the object being rather to supply an unintentional omission in that Bill than to introduce anything new. It was there provided that any candidate who did not include all his election expenses in the returns should be considered to have committed an offence bearing the same consequences as bribery. At the present moment any candidate who pays himself, instead of through his agent, any expense except such as the candidate is allowed to pay by law, or who does not include all the expenses in his return, is adjudged guilty of a misdemeanour; but he does not consequently lose his seat. The Bill of last year provided that this should place him in the same position as if he had committed bribery. On re-consideration of the matter, we thought that it was rather too much to say that because he had made such an omission he should be in the same position as if he had bribed or attempted to bribe; and we now propose that the penalty should be the same as if he had been guilty of treating only—that is, that he should lose his seat. I believe that was the real intention of the clause in the Bill of last year. But while we have weakened the clause in one direction we have strengthened it in another. Last year it was proposed that the clause should apply merely to the omission from the return of expenses it ought to have included, and not to the case of a candidate who with his own hands paid expenses which ought to have passed through the hands of his agent. The clause as now proposed would provide for the case I have just stated, and in that particular it is more stringent than the clause in the Bill introduced by my noble Friend last year. Some few other clauses we have left exactly as they stood last year. One of these is the proposal to prohibit the use of public-houses as committee-rooms during the progress of elections. I should personally have been very glad if we could have gone further and shut public-houses altogether on the day of election; but upon full consideration we felt that in our proposal to the House we could not go beyond the recommendation of the Committee on this point. We, therefore, think the question may be fairly left to the consideration of the House when it shall have gone into Committee on the Bill. I may add we shall be glad to hear the arguments on both sides of this question, as also on that other point of the employment of paid canvassers. Many hon. Members would like to see the employment of paid canvassers done away with altogether, but the question is one beset with difficulties. An election cannot be conducted without the employment of some paid servants, and as you cannot prevent such servants asking votes for the candidates employing them, they at once become paid canvassers. But, on the other hand, the system of paid canvassing is a bad one; and I have merely made these remarks in order to throw the question before the House, and open it for consideration and discussion when we get into Committee on the Bill. Another part of the Bill that we leave as it was last year with very little alteration—except that we have applied it to municipal as well as to Parliamentary elections—relates to the getting rid of the old plan of nominating candidates and making the final declaration of the poll. I confess that I had for some time a feeling in favour of keeping up the old system of nomination; but I have now come to the conclusion that such a system is not in accordance with the necessities of the present time. Those old nominations were a great advantage when voting was very limited, and when candidates in populous places who fancied themselves to be on the side of the people liked to appeal from the electors to the non-electors; but the Reform Bill of the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) has removed that ground for maintaining the ancient system of nomination. We have now very large and extensive constituencies which really represent the feeling of the country, and the time has gone by when in the large towns candidates had to commence their addresses—"Electors and Non-electors." I own I am sometimes at a loss whether I shall or shall not say "Ladies and Gentlemen;" but I have entirely dropped the old formula, and commence my speeches with the simple word "Electors." Our aim ought certainly to be to make an election as simple a proceeding as possible, and to enable every elector desiring to do his duty to do so; but I cannot help thinking that the old noisy open-air nominations had a tendency to frighten quiet people away rather than to attract them to the hustings. If my right hon. and gallant Friend the Member for Ripon (Sir Henry Storks) were in his place he would be able to show to the House what is, I hope, the last stone thrown in the course of a contested election. The missile was aimed at my right hon. Friend on the hustings at Ripon on the occasion of the recent declaration of the poll there, and he, with that extraordinary adroitness which he has shown on more fields than one, caught the stone, and has preserved it as a memento of the occasion. It is a somewhat curious fact that although nominations and declarations of polls in Yorkshire have always been very noisy, there is no part of the kingdom in which public meetings are more orderly. This fact seems to me to prove clearly that it is unnecessary to maintain the old system in order that candidates may have opportunities of stating their political views. Few hon. Gentlemen, probably, have had greater experience of election meetings than I have. When I stood for the borough of Leeds, and was defeated, I held 30 public meetings, and when I stood with my present Colleague for Bradford (Mr. Miall) at the last election, I held a similar number, but though some of the meetings I have attended have been favourable and others unfavourable to me, in no case have I found any difficulty in obtaining an orderly and attentive hearing while I have argued political questions on which there existed much difference of opinion. I have never found that argument was possible at a nomination. We propose that the nomination shall be perfectly public, and that there shall be ample opportunity given for bringing forward the candidates in public. But I need not say that on this matter, and on all other matters, the Government will be very glad to have the assistance of the Committee, when we get into Committee. I come now to one other change, which is a matter of some importance, and that is the question of the expenses of an election. I mean the legal expenses, and, when I speak of legal expenses, I draw a line between absolute compulsory expenses, if I may so call them, and expenses that are permitted. When I talk of legal expenses, I mean the expenses which the law imposes, not what the law permits—the expenses of the returning officer. When we turn to that question we find rather a curious fact, and that is that the election for Members of Parliament is the only election in the country in which the expenses of the returning officer are not paid by the constituency. I believe I may safely go further, and say that it is the only election for any representative body in the world to which that exception is applied. I have not been able to find any other case in our Colonies or in any other nation where the expenses of the returning officer are not borne by the constituency. The Government have come to the conclusion that these expenses ought no longer to be imposed upon the candidate; and we have come to that determination upon two grounds—first, that it is wrong in principle that they should be imposed; and, secondly, that the system works badly in practice. I think we shall almost all acknowledge that it is wrong in principle. Surely if there be any expense connected with the election of a Member of Parliament, that expense ought to be borne by a constituency or a district. What right has the State to pick out individuals and say they should bear the expense rather than the district which it is absolutely necessary to represent in Parliament? The present system, in my opinion, puts the Member and those he represents in a false position from the very beginning. You have no right to say that the beginning of the relations between himself and his constituency should be a pecuniary favour which he bestows upon them by taking upon himself the expenses of performing their duty. It may be said that in England we are not generally guided by the consideration of purely logical principles, though we shall find that, if there be a decided logical fault in any arrangement it will show itself, more or less, first or last. I do not dwell much on this question as one of principle, although I think it is of importance in that respect, but because I think it works very badly in practice, and especially badly under the present circumstances, when we have so largely increased the area of the constituencies. The very term "returning officer" seems to show that you mean by that an officer appointed by a district; otherwise, if you meant it to be the candidate's servant, appointed by the candidate, you would call him the candidate's officer. However, leaving that question, we will see how the matter works. At this moment we find a great number of persons throughout the country complaining against the working of the system. Many of them are men who call themselves the working-men candidates. I say they call themselves so, because I very much object to the term. I think it is a term that we have rather persuaded men to use. I think that in this House and throughout the country we have talked too much of working men being a special political class. The great argument in favour of the Reform Bill was that we took from them all ground of calling themselves a special political class by admitting all householders throughout the kingdom to a share of the franchise. I say it is unwise in us to call them a special class, and no individuals among them have any right to step forward and say that they specially represent the working classes, or that they are specially the working-man's candidates. On account of the enormous numbers of the working men this is more absurd than it would be for a few individuals in the middle classes to step forward and say they are the representatives of the middle classes. Any man would be thought purely ridiculous if he did so. But still the persons who choose to call themselves working-men's candidates, and who are entitled to a good deal of influence, find the present regulation standing in the way of their representing their fellow working men. There are many men throughout the country who wish to get into Parliament, whom their friends wish to get into Parliament, and whom we wish to see in Parliament, but who, on account of their circumstances, find this regulation a great difficulty in the way of their attaining their object. It is none the less important because many of them do not represent, any more than persons in other classes, those of the working classes who have taken a special part in politics; and I think it is highly important that we should throw no obstacle in their way, nor in the way of any persons stepping forward to take their part in the deliberations of the House. The present faulty system applies to these persons now; it might apply to other persons at a different time. It applies to persons who represent the opinions or the wishes of persons who have not property themselves, but who would desire that their representative should be one of themselves, and who could not naturally be expected to pay the expenses of their election. Take the Trades Union Bill, brought forward by my right hon. Friend the Secretary of State for the Home Department. It is a Bill which the Government have framed with the greatest desire that it should be a fair Bill, and meet the just claims of the artizans throughout the country; but we should very much prefer that there should be some active member of trades unions to help us in legislation on the subject of the measure. It would be a great advantage to us if we had such help. I say, without fear of contradiction, that the hustings expenses stand between such men and a seat in this House. These expenses are very heavy in the case of elections for large towns. Looking over the Return of the last election, I find that in England the whole amounted in the year 1868 to £82,812. These are purely hustings expenses. In Scotland the amount was £7,320. But as one or two Returns are incomplete, we may say that in England the expenses were £92,000, being about double the amount for 1865, in consequence, I suppose, of the Reform Bill having largely increased the constituency. The hustings expenses at Manchester were £1,335. Well, a sixth of that is a heavy sum for a man to be obliged to pay to be returned to this House. The hustings expenses in the Tower Hamlets were £1,162. At Bradford, I find my Colleague, myself, and the other gentlemen who were candidates had to pay £811. [An hon. MEMBER: That includes polling-booths.] Polling-booths are part of the necessary expenses of an election. I mean the actual legal expenses without which an election could not be conducted. Well, suppose I had had to run in competition with a working man, I should have felt that he would have been heavily weighted in the contest, and that it would have been a great difficulty for him, in his position, to provide his legal share of the expenses. If, then, we are to act fairly and impartially, we should alter this practice. The right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) said the rule should be that the ultimate political power should rest with the householders throughout the country, and that there should be no attempt by law to guide the direction of that power; but this practice imposes on all candidates a burden which, although apparently equal, is really most unequal, and, therefore, it is an attempt by law to direct the representation of one class rather than another. I cannot help thinking that when we fully consider what is the principle behind this exception, and how it really works, the House will be of an unanimous opinion with the Government, that the proposed arrangement ought to be carried into effect. I have now gone over the different changes contemplated in the Bill, and I do not know that I need detain the House any longer. But I will make one or two remarks before I sit down. It has been my good fortune, for the short time I have had a seat on this Bench, to have had the conduct of two or three measures which have not excited any party feeling, and on which I have received the support of both sides of the House. I do not hope that I shall be equally fortunate this time; and yet, if seriously considered, hon. Gentlemen opposite may see reason not to treat this as a party measure. I am quite aware that objections may be raised on both sides of the House upon the principle of it, as being contrary to their feeling that an election should be performed with publicity and in accordance with established English practice. That is, no doubt, a *primâ facie* objection. The more, however, hon. Members look into the principle of the measure I feel persuaded they will the sooner come to the conclusion that we have no right to impose a duty upon a man and not give him every protection in the fulfilment of that duty. I merely make allusion to the argument, because, in appealing to hon. Gentlemen opposite, I am quite sure that to some extent they have a feeling which is quite independent of party. If they had not this feeling, which is disappearing every day, I should really challenge their support on Conservative principles. I believe the time has gone past when this Bill can be considered a measure against the Conservative interest. I honestly believe that, at this moment, Conservative policy and Conservative interests may as much claim the protection of the Ballot as any other; and that in fact—it is only human nature that it should be so—we have to guard as much against mob tyranny as against landlord intimidation. That is a matter which I have no doubt will be taken into account on both sides of the House, and it evidently weighed with the able men who constituted the Parliamentary Committee on the subject. But there is another ground on which I would hope for support from the great Conservative party, and, especially, from my right hon. Friend the Member for Oxfordshire (Mr. Henley) and the right hon. Member for Buckinghamshire (Mr. Disraeli), for it really is merely carrying out the principle of that measure which they passed, and for which we all know we are so much indebted to the right hon. Gentleman the Member for Oxfordshire. Well, what was the principle of that measure? It was that we should increase the extent of the constituency, and that for the future government of the country we should rely on the people of the country. The right hon. Gentleman (Mr. Henley) stated, in that concise form which is true eloquence, that he had faith in the feelings and instincts of the people; he had a belief, looking back to the past history of England, that the English were a people not prone to useless change; and he felt—and he had history behind him, more than perhaps many of us like to believe to be the case—that the English people are really a very Conservative people; that they have great attachment to the associations of the past, and a great want of confidence in the promises of the future, and, therefore, a great respect for the powers that be at the moment. I believe the right hon. Gentleman was perfectly right in having that reliance on the mass of the population. I should be doing him the greatest possible injustice if I supposed for a moment, in relying upon that Conservative feeling and that respect for the institutions and authorities of the country, he put his trust in any illegitimate influence possessed by those of high social position. I do not for a moment believe it. I know the right hon. Gentleman relied on legitimate influence, and let us just see what is the difference between the two. That is illegitimate influence on the part of the landlord when he turns his tenant out for not voting as he desires, or threatens that he will do so. That is illegitimate influence on the part of the customer when he says he will deal no longer with the tradesman who refuses to vote on his side. And that is illegitimate influence when the rich man tries to bribe the poor man. All these are influences which would be enormously increased under the present extended suffrage. No one, I think, will deny it, and my reason for supporting the Ballot is because I believe it the best means of sapping every illegitimate influence. But there are legitimate influences which I hope never to see diminished—the influence of education; the influence of experience; the influence of the right fulfilment of the duties of property; the influence of the man who claims consideration, who asks to be trusted as a servant of his country because his forefathers have deserved well of the State. I refuse to look forward to the time when such influences would be lost. Well, I support the Ballot because I believe it would destroy the illegitimate influences of bribery and intimidation, which are those besetting sins of our Parliamentary system, to remove which we have been vainly struggling for years. I believe the present measure will do what we want, because it will touch the motive that prompts to the commission of these crimes. I ask the support of all sides of the House, because I feel sure all are anxious to destroy illegitimate influence; and also, for the reason that the more you destroy that influence the more you will increase the legitimate influence, because any attempt to use illegitimate influence produces needless irritation and prejudices people against persons who may have the power to intimidate them, though they may rarely or never have practised intimidation. Why is the Ballot so eagerly desired by vast numbers of voters? I have sometimes seen it said by writers in the public Press that the cry of the Ballot is a factitious cry. That is a great mistake. There is no question which has been more seriously considered or more eagerly desired by a large class. And why? Because they believe that the Ballot would be a blow to bribery and intimidation; because it would take away the motive to bribe and intimidate, and even the power to do so. You may depend upon it that it is not by keeping the power to bribe a man to vote against his opinions, or the power to force him to do so, but rather by relying upon his free will to give them his support, that men of property, intelligence, and social distinction can hope to keep that political influence which they now possess. I beg to move for leave to bring in the Bill.

Mr. LEATHAM: Mr. Speaker—Sir, I must congratulate the Government upon their improved attitude with regard to this question. I accept the early introduction of this measure and the fact that it has been placed in the hands of my right hon. Friend as evidences that we are at last about to proceed to a legislative issue. And, Sir, this improvement in the attitude of the Government is attended by an improvement equally marked in the character of their Bill. When the noble Marquess introduced his Bill last year, I ventured to point out what appeared to me two very serious defects. Although that measure purported to be the ripe fruit of the wisdom of a Committee appointed at the instance of the Government—

> "To inquire into the present modes of conducting Parliamentary and Municipal Elections, in order to provide further guarantees for their tranquillity, purity, and freedom,"

yet, so far as municipal elections were concerned, that Bill provided no further guarantees whatever. And because it failed to provide those guarantees, it robbed the Parliamentary Ballot which it did provide of nearly half its value; for the only true way of looking at Parliamentary and municipal elections is that they are both merely incidents in the same prolonged and interminable political contest; and the only true view to take of the Parliamentary in relation to the municipal body is that they are Siamese twins, with a common life and a common liability to disease. If, therefore, you check bribery at the Parliamentary election, but leave it unchecked at the municipal election, you may be quite sure that corruption will flow back from the municipal into every vein and artery of the Parliamentary body. But the Bill of my right hon. Friend excels that of the noble Marquess in another respect. The Bill of last year contained provisions for a scrutiny, and the identification of votes was secured by a system of numbers and counterfoils, together with a code of rules, upon the minute observance of which the secresy of the whole plan depended; but the minute observance of which nobody expected to see. That Bill, therefore, left quite a loop-hole for the discovery of the votes by candidates' agents; and, so far as candidates' agents are concerned, the Ballot should have none, for we may be quite sure that these unscrupulous and ingenious gentlemen will leave no stone unturned before they surrender the hold which they at present possess over the votes and consciences of so many of their fellow-subjects. And with what confidence will men, awed by intimidation, exercise the franchise, when they know that among a hundred chances there is one, at least, that their votes may be discovered and their ruin follow? Indeed, I was so deeply impressed by this consideration, that I should never have ventured to have introduced provisions for a scrutiny into the Bill which I had myself the honour to bring in, if I had not felt sure that I was in a position to recommend machinery which would render every valid vote impenetrable. And in combining an absolutely close Ballot, so far as every valid vote was concerned, with the power of scrutiny in the case of every invalid one, I flattered myself that I had really solved what has always been regarded as the knot of the Ballot question. My right hon. Friend has approached that knot like a conqueror in quite another field. He has cut, he has not solved it. His Bill is not merely a Bill for the introduction of vote by Ballot, but for the abolition of scrutiny; and I congratulate my right hon. Friend upon the courage with which he thus confronts, in place of evading, the stringent arguments which can be brought against the Ballot itself. Of course, in dealing with a question of this character, the Government possesses advantages over a private Member. A private Member would feel, as I felt, that he was bound, if possible, to cover the whole ground; to attempt nothing more than appeared upon the face of the Bill; to leave all existing guarantees for purity of election untouched; but my right hon. Friend, with a strong Government at his back, is able by the same Bill not only to make changes in the mode of taking votes, but a great and sweeping change in the law of elections. I sincerely hope that my right hon. Friend by following this course has not endangered his measure, either here or "elsewhere;" but it would be idle to ignore the fact that there are hon. Members in this House who sat upon the Committee on Elections, and who are therefore able, from their knowledge of the evidence, to bring to bear upon my right hon. Friend's advance in this particular direction a very formidable artillery. Be this as it may, in any such attack they will receive no support from me; and on my own behalf and that of those who have acted with me in the advocacy of the Ballot I must offer my right hon. Friend our sincere thanks for having brought in so complete a measure, and the assurance of our cordial and unreserved support.

Mr. G. BENTINCK said, he could assure the right hon. Gentleman who had introduced the measure that any remark which he might make he should make in no party spirit. After a long Parliamentary career he was one of the unfortunate persons who belonged to no party; and he must add that the reason why he occupied that position was that there had been on both sides of the House a total want of principle in their proceedings. He must venture to compliment the right hon. Gentleman who introduced the measure for the candour and clearness with which he had performed his task. But he could not compliment him upon his humanity, for a more unkind remark than that which he had made and directed to the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) he (Mr. Bentinck) had never heard during the whole course of his career in that House. The right hon. Gentleman began by talking of "the principle" of the Reform Bill introduced by the right hon. Gentleman the Member for Buckinghamshire. Now, that was the first time he (Mr. Bentinck) had ever heard the word "principle" applied in connection with that measure. But the right hon. Gentleman went further—he, a distinguished member of the great Liberal party, had actually thanked the right hon. Gentleman the Member for Buckinghamshire for the enormous boon he had given in his Reform Bill to the Liberal party. He (Mr. Bentinck) had ever entertained but one opinion of that measure—namely, that it was one of the most Radical measures that had ever been brought before the House. He did not expect, however, to hear publicly so gracious a recognition of its character from so distinguished a Member as the right hon. Gentleman who had just addressed the House. With all the candour of the right hon. Gentleman in introducing the Bill, he had not been quite fair on one point. Hon. Members opposite were fond of harping on what they called landlord influence, and the right hon. Gentleman said one of the advantages of the Bill would be to destroy landlord influence. He did not mean for a moment to deny that in some places the influence of landlords had made itself felt; but he would venture to say that an undue influence had been quite as liberally applied by the political friends of those on the one side of the House as upon the other. In the next place, though the effect of the measure of the right hon. Gentleman might be to do away with mob influence—a result at which he would rejoice—he appealed to hon. Gentlemen opposite to say whether there was not also too often exercised at elections the influence of the great employers of labour. If they were rightly informed no class of men exercised greater influence at Parliamentary elections than the great employers of labour. ["Hear, hear!"] Then, why were they to be told publicly that no persons exercised undue influence at elections except landlords? Let all stand on the same footing. The right hon. Gentleman spoke of three dangers he wished to provide against—namely, tampering with the voters, bribery, and personation; but he failed to show how those dangers would be averted by his Bill. The right hon. Gentleman flattered himself that he would secure complete secresy of voting by his measure. Now, if he had taken the trouble to study the history of this question of Ballot voting on the other side of the Atlantic or in any other country where it was adopted he would find that it had utterly failed in securing any secresy whatever. And it was impossible by any exercise of human ingenuity or human legislation, to arrive at a system of complete secresy in respect to voting. It was an impossibility for two reasons—first, it was impossible to prevent those persons who were anxious to have their mode of voting known making it public; next, he would undertake to say that by far the larger portion of the population, in spite of this Bill, were determined at all times to make their votes public. In reference to bribery, he (Mr. Bentinck) would remind the House of a statement made on one occasion, when the late lamented Mr. H. Berkeley brought forward his annual Ballot Bill—that boroughs would be put up at a price, like articles in a shop-window. He quoted that statement in the House, and in the Division he went into the "No" Lobby with a noble Earl, then one of the chief leaders of the Liberal party, and now no longer a Member of that House. The noble Earl acknowledged that what he had said was perfectly correct, and that under the Ballot the buying of boroughs would be perfectly easy to carry out. He, for one, believed it to be impossible to deal with bribery under the Ballot, and the best description which could be given to any such measure as that now introduced would therefore be "a Bill to render impossible the detection of bribery." He demurred to the assertion that the Ballot was ardently desired throughout the country, and he undertook to say that if they would put this question of the Ballot to this honourable House by means of the Ballot it would be rejected by a large majority. The Ballot might be desired in large towns, where there was a dread of intimidation, and where intimidation was practised with impunity; but he believed that it was disliked in small towns, and was detested by the larger proportion of the population in the country. He would venture to say that if they were to test the question whether the people of England were or were not in favour of the Ballot by means of the Ballot itself there would be found a large majority against it. How did they mean to treat this question so far as regarded the unrepresented portion of the people—namely, the rural population? He was convinced that the Ballot was most unpopular with those large classes. They would reject the principle, and would not condescend to adopt it. He should like to know how the right hon. Gentleman proposed to deal with it in reference to constituencies where the majorities rejected the Ballot. He believed that the right hon. Gentleman was introducing a measure that was most unpopular to the great masses of the country and to those residing in the rural districts, and that the only effect of it would be to prevent the discovery of bribery.

Sir DOMINIC CORRIGAN begged to offer to the right hon. Gentleman his warmest support in the progress of his measure through the House. The hon. Gentleman opposite (Mr. Bentinck) had stated that such a measure was against the wish of the country. That might be a matter of fact or of opinion. As far as his (Sir Dominic Corrigan's) experience went, he should confidently assert that the majority of the people was in favour of the Ballot. In regard to the question put by the hon. Gentleman as to how far the right hon. Gentleman proposed to deal with the unrepresented portion of the population, it appeared to him (Sir Dominic Corrigan) time enough to deal with their opinions upon the Ballot when they possessed votes. It had been said that the Ballot ought not to have been introduced because the vote was a public trust and the country should know how that trust was exercised. That objection raised the question, what was the tribunal that was to determine whether the voter had given his vote honestly or dishonestly? They should have two tribunals to decide this point so long as they had two great political parties in the State. And he hoped that they should never see the country without those two parties, because otherwise there would be a monopoly in politics, which he thought would be as injurious to the general interests of the country as was a monopoly in trade injurious to the commercial world. Well, then, to which tribunal was a person to be made amenable as to the proper exercise of his trust? Was it to be the tribunal established by the minority or the majority in that House? He had had the gratification of being in both positions. He had joined the minority because he thought with them, and he had been found with the majority because they thought with him. It was obvious under such circumstances that no tribunal was competent to decide such a question but that of a man's own reason, conviction, and conscience. The next argument adduced against this measure was that phrase which they had heard so often—namely, that the Ballot was un-English. When the meaning of the phrase "un-English" was asked, it would be found that no definite signification was attached to the term. There was a time when it was considered un-English to smoke, and the occupier of the Throne condescended to reproach those who approached him with the smell of smoke. Not long since it was considered very un-English—and, for the matter of that, un-Irish, too—to have an election unaccompanied by a shower of paving-stones and brickbats. He hoped the last hustings reminiscences of this kind would be deposited in the British Museum—he believed it was a piece of limestone, which had been adroitly seized by an hon. and gallant Member (Sir Henry Storks) who had not long since come into that House. It was not very long since a number of gentlemen had united in a well-known borough to form themselves into a joint-stock company for the purpose of returning certain Members. It was not very long since an election would have been considered un-English which had not been characterized by bribery. And he trusted that before long the practice of promoting men in the Army by purchase, instead of by merit, would be un-English too. The abolition of the nomination was a feature in the Bill which he cordially approved. In the charges for his election was a heavy item, which, without breach of confidence, he might, perhaps, inform the House he had paid. That item was "to obtain a hearing;" but the men who attended for that purpose believed they would best attain that object by preventing his opponent from being heard. His opponent's friends did exactly the same thing, and the natural result was that neither could procure a hearing. He contended that the nomination was a curse to the town in which the election was held; and that it led to drunkenness, idleness, violence, and immorality. The question was one that ought to be dealt with irrespective of party considerations. He, at all events, in advocating it, did so without pretending to any knowledge of the result. Some urged that it would lead to the increase of sectarian, and others that it would lead to the increase of democratic influence. That might be the case or it might not. In his own country he believed the tendency of the Ballot might be as much to aid the landlords as in any other direction. In many of the agricultural districts there was a strong tendency to almost feudal attachment, and with the political views which he himself entertained, if he were to consult merely his own selfish interests, these might lead him to oppose the Ballot. But if the result to the country at large were that the people, consulting their own minds and balancing the *pros* and *cons*, thought it the wisest course to support a manufacturer in one place, a landlord in another, and their guide in religion in a third, he said let it be so; let their action be the result of reason guided by good sense, and he should be satisfied with the result.

MR. SCOURFIELD said, he was very anxious that this question should not be debated as a party measure. He remembered this question being debated many years ago, and in a speech which was delivered by Lord Moncreiff, who held the office of Lord Advocate, he used words to the effect that he did not concur in the opinion that if vote by Ballot were adopted it would prevent intimidation; and he stated that he maintained that a vote at an election was as sacred a trust as a vote in that House, and ought to be exercised for the public; and, further, he did not think that secret voting would prevent bribery. He (Mr. Scourfield) was inclined to think that those observations were not without force.

SIR HENRY HOARE congratulated the Government upon the measure they had introduced, which was a decided advance on the Bill of last year. He regretted, however, that a provision had not been introduced for the abolition of paid canvassers, and said he should propose a clause on the subject in Committee. He wished to know whether the right hon. Gentleman said that, though he could not abolish the opening of public-houses, he would abolish the holding of committee-rooms in public-houses. He approved of the measure, and believed it would not only meet with the acceptance of the Liberal side of the House, but would obtain considerable support from the opposite Benches.

MR. BERESFORD HOPE congratulated his right hon. Friend upon the courteous and considerate manner in which he had introduced this Bill. But he regretted that his right hon. Friend had rolled two Bills into one; and protested against the vexed question of secret voting being mixed up with the question of public-houses and committee-rooms. He had always been an opponent of the Ballot, and he did not like the Ballot now. At the same time, he had taken part in every reasonable proposal from both sides of the House to get rid of the good old English electioneering, with all its concomitants of drunkenness, broken heads, and other amenities of which most of them had some recollection. For scenes such as he himself had witnessed—a large space, for instance, in a manufacturing town crowded with some 10,000 operatives hooting, shouting, and disturbing the tranquillity and good order of the town not only for the day, but with consequences visible for days afterwards—there was nothing in extenuation to be offered, save the existence of some old creeping tradition. But among the arguments which the right hon. Gentleman had advanced in favour of the Ballot he seemed totally to have lost sight of the element of human nature; until he could cut out of the human frame that unruly member the tongue he never would succeed in making voting secret. Nor could he hope to get rid of intimidation. All the accounts received from the United States, where probably the most gigantic system of secret voting in the world existed, concurred in saying that a man was hustled, mobbed, and buffeted if he did not go to the poll with his ticket in his hat. There were persons who believed that the same thing could not happen in this country; but the attorney mind in England, he believed, was clever enough to devise means of bringing influence to bear wherever the occasion arose. The severe punishment threatened against personation might very possibly defeat the object which the right hon. Gentleman had in view. In any case it would be impossible to expose and punish personation without breaking in upon the principle of absolute secresy—the very proposal for striking off a vote for each man convicted of personating involved its being proved on which side the man had personated, and where would then be the secresy? While admitting that the Bill had many excellent points, he regretted that the subject of secret voting had not been submitted to the House for separate discussion on its own merits.

Mr. JAMES hoped that he might be allowed to say a few words in welcome of the Bill, and congratulated the Government that they had introduced a complete and perfect measure on the subject. Last year the Committee that had sat on the subject had felt it necessary to introduce the proviso of the scrutiny; but he rejoiced that the Government had had the courage to throw over that point, and they now were to have the Ballot without the scrutiny. In 1867 the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) had suggested that when a candidate was proved to have received votes through bribery the election should be held to have passed to the other candidate, however few votes he might have polled. That principle was, however, one capable of dangerous extension, and he thought that the present proposal, which only struck off the number of votes actually obtained by illicit means, was much preferable.

Mr. W. E. FORSTER, in reply, said, if the Committee should decide that cards were preferable to voting papers he should have no objection to give effect to their decision. The Bill contained sufficient safeguards against the "Tasmanian dodge," and likewise provided against forged voting papers and tampering with the votes. The opportunities of personation would be less frequent than at present. As regards public-houses, he thought he had already stated that electioneering meetings would not in future be allowed to be held in them, unless the candidate was present. There was great cogency in the argument against paid canvassers; but, at the same time, there was great difficulty in framing an enactment against them. It was a question, however, which he should be glad to have fully discussed in Committee. With respect to personation, he might remark that the Bill made no attempt to keep secret the fact of a man having voted; but its object was to prevent anyone from being able to prove how he had voted.

Motion *agreed to.*

Bill to amend the Laws relating to procedure at Parliamentary and Municipal Elections, and for other purposes connected therewith, *ordered* to be brought in by Mr. William Edward Forster, Mr. Secretary Bruce, and the Marquess of Hartington.

Bill *presented,* and read the first time. [Bill 45.]

House adjourned at a quarter after Ten o'clock.

HOUSE OF LORDS,

Tuesday, 21*st February*, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Provisional Order Bills (Committees)* (25).
Second Reading — Princess Louise's Annuity* (20); Ecclesiastical Dilapidations (2); Juries Act (1870) Amendment (21).
Committee—West African Settlements* (1).

PRIVATE BILLS.

Ordered, That this House will not receive any petition for a Private Bill after *Monday* the 20*th of March* next, unless such Private Bill shall have been approved by the Court of Chancery; nor any petition for a Private Bill approved by the Court of Chancery after *Monday* the 8*th of May* next:

Ordered, That this House will not receive any report from the judges upon petitions presented to this House for Private Bills after *Monday* the 8*th of May* next:

Ordered, That the said Orders be *printed* and published, and affixed on the doors of this House and Westminster Hall. (No. 23.)

ECCLESIASTICAL DILAPIDATIONS BILL.

(*The Lord Archbishop of York.*)

(NO. 2.) SECOND READING.

Order of the Day for the Second Reading, read.

THE ARCHBISHOP OF YORK said, he would not have troubled the House with any observations on this Bill, but for some remarks made by a noble and learned Lord (Lord Romilly) last night, calculated to produce an impression which it was very desirable to remove. The noble and learned Lord complained of the haste with which this measure and two other Bills were hurried through the House last Session, and apprehended great peril to the Church and to the Episcopal element in the House from their being so hastily dealt with. He (the Archbishop of York), however, wished to remark that the subject had been long under public attention. As long ago as 1862, a Bill on this subject was introduced into their Lordships' House at the instance of the Convocation of Canterbury, and was referred to a Select Committee, composed of eminent Members of that House, including Lord St. Leonards. On review of the labours of the Session, the Committee thought it was too late then to proceed with the Bill, and they recommended that it should be printed with a view to excite the attention of those concerned, in the hope of legislation in the following year. Their able Report, however, for reasons unknown to him, remained on the shelves of the Library till 1868, when he (the Archbishop of York) introduced, late in the Session, a Bill prepared by a Committee of Convocation, substantially the same as the present. In 1869, he re-introduced it; but, after passing through the stage of Committee, it was withdrawn; and last year he brought it in precisely the same as the present, which passed through all its stages in their Lordships' House, was sent down to the Commons, was there read the second time on the 19th July, but was withdrawn on the 25th on account of the lateness of the Session. He was therefore surprised to hear it said this matter had been dealt with hastily and inconsiderately. This was not a Bishop's Bill. Prepared by the Lower Houses of Convocation of both Provinces, the Bill emanated from the clergy themselves, and was not a measure which the Bishops sought to impose on them. It introduced, moreover, no novelty in point of law, for the theory at present was, that every clergyman dwelling in a house which was his freehold was bound to leave it to his successor in as good a condition as that in which he received it. This principle it was not proposed to change—the mode of assessing the waste which had occurred between one incumbency and another would be retained; but it would be made more equal, certain, and complete. The chief object which this Bill sought to secure was to obtain as surveyors men eminent in their profession, acting on settled rules, and deciding in an uniform manner. The Select Committee had proposed that they should be appointed by the Bishops; but this was open to objection, and the clergy, being most deeply concerned in the matter, might reasonably claim a voice in it. Election by the whole body of the clergy would lead to canvassing and agitation, and it was thought best to entrust the election to the archdeacons and rural deans, subject to the approval of the Bishop, who, on complaint, would have power to remove the surveyor. If any plan, however, could be suggested more likely to secure the confidence of the clergy, he was not prepared to say that it would not be accepted. The surveyor would act whenever a benefice was sequestrated—for the person who took the profits of the living out of the hands of the clergyman was clearly bound to keep the parsonage in repair — and whenever a benefice was vacant, at which time nobody's rights could be said to be infringed by his having the house put in sufficient repair. Clause 12—which he admitted was, to some extent, an alteration of the existing law, and would probably, therefore, evoke most objection—gave the Bishop no right to interfere in the first instance, but enabled him, on the requisition in writing of the archdeacon, rural dean, or patron, to order a survey. It was surely but right that the patron should be able to interpose if a waste of the freehold was going on, and the archdeacons were entitled to see that the parsonage, as well as the church, was kept in repair. The fees and the expenses of repairs could be borrowed by the clergyman from Queen Anne's Bounty; and any clergyman calling for a survey, and obtaining a certificate, would be free for five years from any liability for dilapidations, to which latter provision great value was attached by the clergy. He should be the last man to promote the measure if it threw any fresh burdens on the parochial clergy; but they themselves, or at least the more prudent among them, were anxious for it, and since 1862 there had hardly been a single Petition against its principle.

Moved, "That the Bill be now read 2ª."—(*The Lord Archbishop of York.*)

LORD ROMILLY said, he did not intend, after what occurred last night, to move the rejection of the Bill, though he thought it was insufficiently considered last year, and was a measure as objectionable as that discussed yesterday. The Episcopal Bench were departing from their original functions—those relating to doctrine and discipline—by meddling with the financial arrangements of the parochial clergy. They had nothing to do with them. Dilapidations were a matter resting between the incoming and outgoing incumbent; and though they were occasionally irrecoverable, through the insolvent position of the latter, such cases were rare, and it was best to leave the question to the parties concerned. He was of opinion that the same evils might arise in this case as he thought would arise in the case of the Benefices Resignation Bill, and even more strongly; the evil was to place the parochial clergy under the control of the Bishop. A surveyor was to be sent every five years to examine the state of the parish. Under the Bill, the surveyor, though not appointed by the Bishop directly, was appointed at a meeting over which he might preside if he thought proper, or failing him, the archdeacon; and the sanction of the Bishop must be obtained. Now surveyors, as his judicial experience had shown him, were a very expensive class of men. The whole expense of their employment would fall upon the clergyman. It would be necessary to have an inspection by the surveyor from time to time in order to ascertain what repairs were required; the incumbent might then carry them out himself if he pleased; but then a second survey would be required to certify that the repairs had been properly carried out. The whole of this must be borne by the incumbent, and in the aggregate a very heavy burden would be thrown on the parochial clergy. Then not only might the archdeacon complain to the Bishop, but the latter might, under Clause 26, order an inspection of any parsonage of his own accord. [The Archbishop of YORK explained that that clause applied only to episcopal residences.] In that case, his objection, in that respect, fell to the ground; but he observed that if the repairs thought necessary were resisted by the incumbent, the matter was to be determined as in the nature of a lawsuit by the Bishop, and the expense would certainly be serious. There was, moreover, he thought, a technical objection to the Bill. The Bill would tax a large body of persons, and he did not remember any measure the whole scope of which was the raising of money for certain purposes from a particular class having originated in that House. What view the House of Commons would take of it he did not know, and if their privileges were guarded by the money clauses being struck out when it was sent down to them the very essence of the Bill would disappear.

THE BISHOP OF GLOUCESTER AND BRISTOL said, the noble and learned Lord seemed to have derived his views of the Bill from a pamphlet which had probably reached many of their Lordships, for his noble and learned Friend had used almost in the same order the arguments of the ingenious writer. The author's name had been communicated to him, and he was happy to recognize in him a Gloucestershire incumbent and a very intelligent and sensible man; but he did not believe his arguments would meet with general acceptance among his brother clergymen. It was apparently feared that the Bishops wanted to violate the proper independence of the parochial clergy; but he joined in his most rev. Friend's disclaimer of any desire to interfere with their privacy or welfare, and he did not believe for one moment that in any diocese any sinister design was imputed to the Bill by any of those for whose benefit it was framed. It might, indeed, be objected that though it raised the difficult question as to what dilapidations were, it did not attempt to answer it; but though it confessedly left this difficulty as it found it, the Bill notwithstanding removed the real and practical difficulties connected with the question, by providing an uniform course of proceeding and a consistent treatment of all cases that came under its purview. It was based on the recommendations of the clergy themselves, as expressed in the Convocation of both Provinces, and could hardly be supposed as threatening any injustice to to those whom the noble and learned Lord seemed so desirous to protect. The writer of the pamphlet referred to ruri-decanal meetings and to Convocation as packed assemblies, for which he had neither respect nor reverence, and he emphatically stated that he preferred the opinion of laymen. While joining in the writer's respect for the opinion of laymen, he supported the Bill, as one likely to be beneficial to the clergy and to the Church at large.

On Question? *agreed to;* Bill read 2ª accordingly.

JURIES ACT (1870) AMENDMENT BILL.

(The Lord Chancellor.)

(NO. 21.) SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving the second reading of this Bill, explained that its object was to repeal the 22nd section of an Act of last Session, which directed that special jurors should be allowed 21*s.* and common jurors 10*s.* a day for their attendance, to be paid by the parties, and a deposit to be made by them, as mght be determined by the rules of Court. This had proved a serious burden to the suitor, rendering it difficult for persons in humble circumstances to obtain justice without first of all paying a heavy fine; for the Judges had found it necessary to require 12 guineas to be deposited on notice of trial being given, and in some cases as much as £25. The deposit in common jury cases, though smaller, was a serious burden. Nor was this the worst of the matter; for this sum had to be deposited whether the case came on for trial or not; and if the cause was not tried, it was found there were no means of refunding the money, so that a fine had been paid from which the parties had derived no advantage. It was therefore thought desirable to repeal the section, and to avoid any ambiguity he should propose in Committee a proviso that payments made anterior to the passing of the Act should not be interfered with.

EARL GREY said, that this was an illustration of that imperfect system of legislation to which he had more than once called attention, and which was daily becoming a more crying evil. That Bills which had passed both Houses should require amendment as soon as Parliament re-assembled was not creditable to either House, and proved the necessity of subjecting measures before they became law to some closer scrutiny than at present. Some machinery ought to be devised by which the practical working of legislation might be more satisfactorily secured.

Motion *agreed to;* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

OCCUPATION OF ROME BY THE SOVEREIGN PONTIFF.

ADDRESS FOR A PAPER.

LORD ORANMORE AND BROWNE rose, according to Notice, to ask the Secretary of State for Foreign Affairs for an explanation with regard to a letter from the right hon. W. E. Gladstone, dated Downing Street, 30th November 1870, addressed to F. Dease, Esq., M.P., in reference to the Sovereign Pontiff; also to inquire as to the accuracy of certain despatches said to be addressed by the noble Earl and the late Under Secretary for Foreign Affairs to Foreign Governments on the same subject; also a despatch addressed by the Secretary of State for the Colonies, dated 16th January 1871, to the Governor of Gibraltar on the same subject; and to move for copies of these documents. The noble Lord said that the absorbing topics of the war abroad and our defences at home had diverted the public interest from all other subjects; but, were this subject passed over, it would be said that the remarkable utterances of the Premier touching the Pope, and the conduct of Her Majesty's Government regarding Italy, had attracted no attention. As he knew that this was far from being the case, and that it was only owing to very clever political manœuvring that the public voice on the matter had been stifled, he felt it his duty—though he feared the subject was not very attractive to their Lordships—to bring it under their notice, especially as the public voice had only been hushed pending an explanation, promised by the right hon. Gentleman at the meeting of Parliament, but which had not yet been given. Independently of the special difficulties of bringing forward the question on the present occasion, arising from the pre-occupation of the public mind, he had to encounter the ordinary difficulties attaching to the case. Neither of the great parties in Parliament desired to touch it, because, they said, it involved a religious discussion; the real fact being that neither would risk offending the Irish Members, who held the key of the situation. Party interests, in fact, were supreme. Believing this to be the great misfortune of the day, he must proceed regardless of it; but he would specially guard himself from wishing, directly or indirectly, to enter on any religious discussion. Claiming freedom for his own views, he wished every other man to enjoy the same freedom, save when, under the name of religion, he endeavoured to establish an "*imperium in imperio*." The first protest he ever made was against this system, and his object was now to renew it. The greater part of his life had been spent among a Roman Catholic people; but religion had never interfered between them, except when interested persons had roused religious animosity in order to gain political power. A more amiable and excellent people than his countrymen in the West did not live on the face of the earth till, by the measures of Her Majesty's Government in the last two Sessions, the premium on disaffection and disturbance became too high to be resisted. He would now call their Lordships' attention to three paragraphs in the Premier's letter to Mr. Dease. They ran thus—

> "In reply, I have to state that Her Majesty's Government have not during the various changes which have marked the reign of the present Pope interfered, nor have they now proposed to interfere, with the civil government of the city of Rome or the surrounding country. But Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice. Indeed, without waiting for the occurrence of an actual necessity, they have, during the uncertainties of the last few months, taken upon themselves to make provision which would tend to afford any necessary protection to the person of the Sovereign Pontiff."

The noble Earl the Secretary for the Colonies (Earl Granville) would probably acknowledge, without his troubling their Lordships by quotations, that despatches to the Governors of Gibraltar and, he believed, Malta, in reply to addresses from Roman Catholics in those islands, had been forwarded nearly identical in terms with this letter—which proved that Mr. Gladstone's letter conveyed the deliberate policy intended to be pursued by the Government, and was not one of those impulsive statements on the part of the Premier which often caused his Colleagues so much inconvenience. In connection with the declaration that the Government had not interfered, and would not interfere, in the civil government of Rome, he must call attention to a letter published in *The Times*, and dated Florence, December 21, 1870, purporting to contain a summary of despatches published in the Italian Green Book. This letter remarked—

> "Another despatch of Senor Cadorna, dated September 27, shows how well the chief of the English Foreign Office understood the situation of affairs in Italy, and how warmly he recommended to the Italian Government to leave alone that unfortunate business of the '*Roma capitale.*' The important question being solved by the taking of Rome, though his advice with regard to the transfer of the capital is not accepted, he tries to persuade the Pope not to leave Rome. Mr. Otway, in a conversation he had with Senor Cadorna on the same day, seems to have insisted once more upon the necessity of postponing the transfer, and points out the difficulties the question produces in Ireland."

The correspondent went on to state that the despatches from all the other great Powers showed that they did not wish to interfere with Italy on the subject, and that she was quite free to act as she thought fit. Now, it seemed to him impossible for one Government to have shown more impertinent interference in the affairs of another country than for our Government to press the Italian Government not to allow the people of Italy to realize their long cherished desire of making Rome the seat of their Government, because it was displeasing to the Irish. It was certainly astonishing to what lengths party influences would lead experienced statesmen. Though not reported in the Green Book, he (Lord Oranmore and Browne) doubted not that Senor Cadorna informed the English Government that the Italians, reciprocating the kind interest taken by the Irish in their affairs, strongly advised the Government to transfer the seat of government from London to Dublin—a suggestion which the Irish people would like to see carried out. The next two paragraphs said that Her Majesty's Government, without waiting for an actual necessity, had taken upon themselves to afford any necessary protection to the Sovereign Pontiff. It was commonly stated that a ship of war had been waiting at Civita Vecchia to take the Pope to Malta, or perhaps to Ireland. He hoped His Holiness would choose the latter, for, perchance, as St. Patrick drove out reptiles, so Pius IX. might drive out assassins; but it seemed curious that a country, of which at least four-fifths were Protestants, should be so assiduous in its care of the Pope, when Austria, Spain, Portugal, and Belgium, all Roman Catholic countries, stood by quite indifferent. It showed, he feared, that party interests acted more powerfully than religious influences; or was it that Roman Catholic countries had enough Churchmen already, without undertaking to provide an asylum for their Infallible Head? He had not been surprised to read that Archbishop Manning felt hurt at such conduct. Perhaps the Government would tell their Lordships and the public what palace they had prepared, and what provision it was proposed to make "for the adequate support of the dignity" of His Holiness, for assuredly it would be a strange hospitality that landed him penniless on the burning rock of Malta or on the damp shores of Ireland. It was still more important to know what provision the Government had made or were making to secure his "independence in the discharge of his spiritual functions," for this was a difficult undertaking. Englishmen were more ready to give their money than to surrender their liberties, yet he feared that independence in the discharge of the Pope's spiritual functions would involve a slight sacrifice of our national liberty. It was no easy matter to define what such independence meant; but he would endeavour to afford an explanation from well-authenticated documents emanating from His Holiness. Liberty of worship, liberty of the Press, liberty of speech, aye, and of conscience must be all repressed. God had conferred on the Pope not only to direct by persuasion but by force those who turned aside; by a canon of the Church the Pope was bound to put such persons to death; no civil law was binding if it differed from the law of the Church. Such were the laws under which the Romans had suffered for centuries. Such were a few of the many blessings involved in that spiritual independence of His Holiness which the Government had undertaken to protect. It did not require any very narrow-minded bigotry to conclude that it was hardly consistent with the Liberal institutions of this country for the Government to guarantee the spiritual independence of the Pope. It must be remembered, too, that the language of the meetings that occurred at the time the letter was written was anything but temperate. The head of the Roman Catholic Church in this country, supported by some members of their Lordships' House, at a meeting at St. James's Hall, stated—

> "It was a figment and an illusion to distinguish between politics and religion. Politics were a part of morals; morals were part of religion; the two were indissoluble."

This statement coincided entirely with the Premier's policy. It was commonly stated that the Ultramontane system was effete; yet we saw it actively influencing every important act of the Legislature, for the great measures of the last two Sessions were certainly framed far more to secure power and income to the Roman Catholic clergy than to benefit the people of Ireland. That most exceptional and novel clause in the English Education Bill, giving the cumulative vote, was introduced, moreover, solely to give Roman Catholics an undue influence in the education of this country. That it was undue was best shown by the fact that no Roman Catholics were chosen under the Parliamentary franchise. It was the carrying out of the system recommended some years back by M. de Montalembert to the Roman Catholics—namely, that by taking advantage of party divisions they could gain an undue influence in the State. He would next refer to a very short letter from Mr. Kinnaird to Mr. Gladstone, and a still shorter letter from Mr. Gladstone himself. The first letter was dated January 6—more than a month after the Premier's letter to Mr. Dease, and therefore could not have been written without full time for "accurately understanding the expressions" in Mr. Gladstone's letter. After stating that there was every wish that due consideration should be shown for the religious feelings of the Roman Catholic subjects of Her Majesty, and that every courteous consideration should be shown to the Pope if in distress, Mr. Kinnaird, remarking on the Premier's letter, said it became all British subjects to inquire whether the Papal jurisdiction, the essence of all spiritual tyranny, the deadly foe of all religious and political freedom, was to be made the object of the watchful and fostering care of Her Majesty's Government? and added that such a policy would be the natural and necessary conclusion to be drawn from Mr. Gladstone's expressions. The Premier, by his silence, accepted this as the policy which the Government intended to pursue; but Mr. Kinnaird, getting no reply to his letter for a fortnight, and supposing that the right hon. Gentleman, fearing that the policy thus imputed to his Government might not be acceptable to his constituents, was struggling between his honest convictions and his political interests, took the somewhat peculiar course of replying to his own letter. Accordingly on the 19th January he wrote a reply, in which he interpreted the Premier's expressions as in no wise intended to pledge the Government to do anything to mix itself up in any way with the Pope's spiritual power. The hand was the hand of Esau, but the voice was surely that of Jacob. This was telling the Roman Catholic voters the Government were not "pledged" to interfere for the Pope, but that they were free to do so, and telling the Presbyterian—"We are not likely to have anything to say to the Pope"—a very convenient position, variable as the political situation might require. The correspondence closed with a note from the Premier to Mr. Kinnaird, dated the 19th of January, short, characteristic, and grateful, saying—

> "You have accurately understood those expressions in my letter to Mr. Dease to which you refer. With many thanks," &c.

The Premier did not say whether it was in the letter of the 6th or the letter of the 19th that Mr. Kinnaird had accurately understood him. Another important fact proved that the Government intended to carry out the policy indicated in the letter to Mr. Dease. In the Speech from the Throne an event of such world-wide interest as the annexation of Rome was passed over in silence. The Italian antecedents of the Premier made this the more remarkable. The disappointment of the Italians at seeing that the liberal and generous sympathies of so distinguished a statesman must yield and be smothered to meet the exigencies of party would not give them or the other peoples of Europe a high estimate of the working of our constitutional Government. It was also another instance of the wishes of the large majority of the inhabitants of these islands being subordinated to those of the small minority; for at most the Roman Catholics of Great Britain and Ireland did not exceed one-fifth of the population, the vast majority of the remainder entirely sympathizing with the overthrow of the Papal Government and the completion of Italian nationality. Our home and foreign policy was thus regulated principally by the Irish Members returned by the Roman Catholic hierarchy, who held the balance between the two great parties in the State—a result both unfortunate and contrary to the intention of our Constitution. When the evils arising therefrom were seen by the British people, he believed that if Parliament did not find the remedy they would. He would ask his Roman Catholic fellow-countrymen to remember that the occupation of Rome was only a part of a great movement which had been successfully carried out by their co-religionists all through Europe—namely, an assertion that while they adhered to their religious faith they would also be freemen, and would not live under an absolute Government, whether carried on by laymen or ecclesiastics. It was principally owing to Roman Catholics abroad having shown this determination that the British people had given up all jealousy as to Roman Catholics in Great Britain having the fullest political privileges; but, if Englishmen saw that the enlightened Roman Catholics united with the ignorant in the endeavour to establish that very Ultramontane system which their co-religionists had thrown off all through Europe, they would be justly regarded not only as enemies to all civil and religious liberty, but as refusing to live on terms of equality and goodwill with the rest of Her Majesty's subjects. With every feeling of goodwill to his Roman Catholic fellow-countrymen, he would say—"Accept equality; by attempting to gain superiority you will create a revulsion of feeling which will be as much to be regretted as it will be disastrous to your own cause." Apologizing for having so long occupied their Lordships' time, and thanking them for their kind indulgence, he had now to ask the noble Earl (Earl Granville) for an explanation of Mr. Gladstone's letter to Mr. Dease, and for the production of the despatches issued from the Foreign and Colonial Offices to which he had referred.

Moved, "That an humble Address be presented to Her Majesty, praying that Her Majesty will be pleased to direct that there be laid before the House, Copy of a Despatch addressed by the Secretary of State for the Colonies, dated 16th January 1871, to the Governor of Gibraltar, on the subject of the occupation of Rome by the Sovereign Pontiff."—(*The Lord Oranmore and Browne.*)

EARL GRANVILLE: My Lords, I do not think the noble Lord has taken a very convenient mode of bringing this question forward. Mr. Gladstone's letter, although an important letter, is not a Parliamentary document: moreover, as your Lordships are probably aware, Mr. Gladstone will be questioned respecting that letter in the House of Commons, and he will, I have no doubt, be able to give an answer satisfactory to all fair and reasonable men. I think, too, the mode pursued by the noble Lord is the less convenient, inasmuch as my noble Friend the Secretary for the Colonies (the Earl of Kimberley) has no objection to the production of the despatches relating to the subject, and when those despatches are before your Lordships they will form fit subjects of criticism. For myself, as long as I unworthily hold the Office of Foreign Secretary, I shall consider any subject—whether religious, commercial, or political—worthy the notice of Her Majesty's Government, if it be a subject of legitimate interest to any considerable number of the Queen's subjects. With respect to the second part of the noble Lord's Notice, I believe your Lordships will agree with me that nothing could well be more vague, and less calculated to afford a clue to what the noble Lord was about to say; for the noble Lord asks for "certain despatches," without specifying the date, or stating by whom or to whom they were written: and then he asks whether they are accurate or not. My hon. Friend Mr. Otway, though up to the time of his retirement from Office he took a great interest in Foreign Affairs, would certainly never imagine it to be his duty to address despatches to foreign Governments on any occasion whatever. It turns out, however, that what the noble Lord referred to related to a despatch of the Italian Minister of Foreign Affairs, published in the Green Book of that country. These Papers have been presented to your Lordships, and are being printed, and in the course of this week they will be in your Lordships' hands. The following is the correspondence upon the subject:—

"No. 4. Foreign Office, Jan. 3, 1871.

"Sir,—I have received your despatch, No. 278, of the 19th ultimo, enclosing a copy of the Italian Green Book; and I have read the despatch of the Chevalier Cadorna to M. Visconti-Venosta of the 27th of September, 1870, which is published at page 50 in this collection of documents. In that despatch the Italian Minister reports some casual remarks on the question of the transfer of the Italian capital to Rome, which fell from myself and from Mr. Otway on the occasion of two conversations which he had respectively with us. I took occasion yesterday to inform the Chevalier Cadorna that he had attached a greater importance to these observations than had been intended by me or by Mr. Otway. I remember the conversation perfectly which I had the honour of holding with the Chevalier Cadorna, in which I asked him whether he believed the transfer of the capital to Rome would take place, and added that I had been convinced by the arguments of Massimo d'Azeglio, in a pamphlet published a few years ago, that it would be more prudent to continue the seat of government at Florence. I made no allusion to Ireland, or to the effects which the removal of the capital might have upon public opinion in that country, and neither Mr. Otway nor I gave any official opinion on the matter. G.

"To Sir Augustus Paget."

"No. 25. Florence, Jan. 18, 1871.

"My Lord,—I have read to the Chevalier Visconti-Venosta your Lordship's despatch No. 4 of the 3rd inst., in reference to a despatch of Chevalier Cadorna, published in the Italian Green Book, reporting a conversation with your Lordship and Mr. Otway, in which some reference was made to the transfer of the Italian capital to Rome, and when I had concluded, his Excellency said that he had never considered your Lordship's remarks upon this subject as having an official or a formal character, but had understood them as having been uttered in the course of confidential conversation in the sense which you now attribute to them. If he had given the despatch a place among the diplomatic documents laid before the Italian Parliament, it was because he had thought it desirable that it should be seen that even in the mind of a statesman of recognized friendly sentiments towards Italy some doubts existed as to the expediency of the removal of the seat of government from where it was now established to Rome. Monsieur Visconti-Venosta added that the Chevalier Cadorna had informed him of the observations which your Lordship had recently made to him upon his report of the 27th of September. I have the honour to be, with the highest respect, my Lord, your Lordship's most obedient humble servant, A. Paget.

"The Earl Granville, K.G., &c."

With regard to the third part of the Question, I have only to add that my noble Friend the Secretary for the Colonies will immediately produce the despatches on the question.

The Earl of DENBIGH said, he rose to enter his protest against the manner in which the noble Lord (Lord Oranmore and Browne) had brought this question forward. He had commenced his speech by protesting that he wished to avoid the question of religious differences, and yet, notwithstanding this disclaimer, the whole of his arguments were based upon these religious differences. The occupation of Rome was no question as to whether the Roman Catholic or the Protestant religion was the right one, but one which depended on international law and justice, and involved the social rights of millions of her Majesty's subjects. That this was the right view, and as the noble Lord appeared to think that the opinion expressed by Mr. Gladstone and by the Secretary for the Colonies was very unusual, he (the Earl of Denbigh) would quote the opinion of Lord Ellenborough, as expressed on the 12th of June, 1849. On that occasion Lord Ellenborough said—

"It was quite true that England was not a Catholic State, and might not, therefore, feel that personal interest in the position of the Pope which was felt by Catholic Powers; but we had 8,000,000 of Roman Catholic fellow-subjects, and it was as much an object of interest to us as it could be to any one of the Catholic Powers of Europe that the Pope should be in a position of independence; that he should not be so situated as to be dependent upon the bounty or upon the power of any one, or of any combination of the Powers of Europe."—[3 *Hansard*, cvi. 10.]

That was a statesmanlike view of the subject; and it was shared by Lord Brougham, who, speaking on the 20th of July, said—

"My opinion is that it will not do to say that the Pope is all very well as a spiritual Prince, but we ought not to restore his temporal Power. That is a shortsighted, and I think a somewhat superficial view of the case. I do not believe it possible that the Pope could exercise beneficially his spiritual functions if he had no temporal power. For what would be the consequence? He would be stripped of all his authority. We are not now in the eighth century, when the Pope contrived to exist without much secular authority, or when, as Bishop of Rome, he exercised very extensive spiritual power without corresponding temporal power. The progress of the one, however, went along with that of the other. . . . His temporal force increased his spiritual authority, because it made him more independent. Stripped of that secular dominion he would become the slave now of one Power, then of another. . . . His temporal power is an European question, not a local or religious one, and the Pope's authority should be maintained for the sake of the peace and the interest of Europe."—[3 *Hansard*, cvii. 627.]

Those extracts were sufficient to show that the great statesmen who uttered them had taken a different view of the subject from that adopted by the noble Lord. The noble Lord had ventured to point out what he believed to be the great dangers in the opinion expressed by the Archbishop of Westminster—that politics and morals could not be separated. He (the Earl of Denbigh) believed that he could explain the meaning of the Archbishop, as he himself shared the same view of the true meaning of politics. Politics were only the social and moral law of individuals applied to communities; and if the noble Lord would accept that definition, he believed he would not see in the statement of the Archbishop the dangers which he now anticipated.

Motion *agreed to.*

FRANCE AND GERMANY—THE SIEGE OF PARIS—ABSENCE OF THE ENGLISH CONSUL.—QUESTION.

THE EARL OF MALMESBURY: My Lords, I wish to ask my noble Friend the Secretary for Foreign Affairs a Question upon a subject that has excited a great deal of comment not only in the Press, but in private circles in this country, and which has elicited, I am afraid, some very unfavourable expressions, both in England and abroad, as to the Department of which my noble Friend is the head, and has led to unpleasant reflections upon our national character. The Question I wish to ask him is this—Why the English Consul was absent from his post at Paris during the greatest part of the siege; and if, for a considerable period, the English population were not left there without any British official protection? That Question has been asked in "another place," and the reply returned by my noble Friend's subordinate (Viscount Enfield) was an eminently unsatisfactory one. He said that Lord Lyons was intrusted with discretionary powers, and that he told the Consul to leave Paris, but not to quit France, and to remain within reach. What he meant by remaining within reach when Paris was closely beleaguered I do not understand; as a matter of fact he held no communication with Paris during the siege. He also said that Lord Lyons warned his countrymen of the risk and danger that they incurred by remaining. Mr. Wodehouse remained for a time and then left also. But before I proceed with the case of the Consul, I wish to state openly, as Lord Lyons has been attacked by a right hon. Friend of mine (Sir Robert Peel) in "another place" for having quitted Paris and going to Tours with the French Government, my opinion that he could not have done otherwise, and that he would have acted wrongly if he had remained. His post was one requiring great freedom of action, and it would have been impossible for him to have fulfilled his duties towards his own country if he had remained shut up in Paris during a close siege. Recollect, however, that during all the unparalleled misery of this great siege, lasting four and a half months—for it began in the middle of September and did not close till the end of January—there were no less than 2,000 British subjects starving in Paris; and if ever British subjects required the consolations and assistance of their Government, it was under such awful circumstances. And yet the man whose peculiar duty it was to remain in Paris in the absence of the Ambassador—I express the opinion formed from my own experience at the Foreign Office—and to look after our countrymen, had, as stated by Lord Enfield in "another place," permission to leave Paris during that time. Other persons attached to the Embassy were also allowed to leave; so that no one remained except Mr. Wodehouse, whose business was to take care of the archives of the Embassy. The siege went on, and the miseries increased. I do not wish to harrow the feelings of your Lordships by describing what the sufferings of our countrymen, as well as of the French, have been; but I may say that I received a letter from an old servant of mine in Paris, in which it was stated that she and her husband, upon the 14th of January, had left off eating cats, and dogs, and rats, and were actually reduced for sustenance to eat sausages made out of the entrails of dogs. Tallow candles had long disappeared, having been eaten, and oil also had been consumed for purposes of food; so that light in the houses during the long winter nights was impossible. This was the state of the poorer English in Paris, who found it impossible to follow Lord Lyons' advice, inasmuch as they had not the means of coming over to this country. Perhaps my noble Friend opposite will tell me whether the Government sent out any assistance in the shape of money to those persons to enable them to leave Paris, and whether those who remained did so out of sheer obstinacy or from a false feeling of courage. Quite at the end of December the bombardment began. And I must say, in passing, that, in my opinion, the bombardment of Paris will remain a blot and a stain on the escutcheon of Prussia; for, although, according to the rules of war, Prussia had a complete right to bombard Paris, as a first-class fortified town, yet it is necessity alone which supports the exercise of such rights. The city would have submitted to the moment as soon if there had been no bombardment; and from those in the city we learn that the bombardment rather roused the temper of the French and lengthened the resistance. In the bombardment I believe not more than three military men were killed; but women and children suffered in great numbers, and it is a fact that one shell killed seven children at once. And so deep was the feeling which the event excited when it was proclaimed in Paris that M. Jules Favre actually followed their remains to the grave. When that event occurred, was there any Englishman in Paris to represent this country? Why, not even the military and naval Attachés of the Embassy were there. I suppose they did not leave without the orders to that effect of the noble Earl himself or of Lord Lyons. And what could possibly induce the giving of such orders? To be there at such a time was to be at their proper place and post; it was their *raison d'être.* Such men are sent out, as I have always understood, to learn everything that relates to foreign armaments, to become acquainted with every new invention, and to watch the performance of every new weapon. Why, it was a God-send to these men and the Government who appointed them to have a bombardment going on—they never had such a chance of learning before—and to recall those gentlemen at such a time seems to me a very doubtful proceeding—for I cannot believe that they would have left unless recalled. There can be no more gallant officer, for instance, than Colonel Claremont, who was all through the Crimean War; and I want to know the grounds upon which these two officers were called away from Paris at the very moment when valuable experience could have been obtained, when their services upon the spot could have been of great advantage to this country, and of incalculable value to the miserable English who were suffering in Paris. Thank God! the English were not totally deserted. They were taken care of by three men, whose names will be considered noble as long as the history of the siege is recorded—Mr. Wallace, Mr. Herbert—Lord Carnarvon's brother—and Mr. Blunt, whom my noble Friend afterwards very properly made Consul—and by their means, probably, hundreds were saved from misery and death. The case, however, is one which has led to very severe reflections upon this country. During this great war the acts of this country have been very narrowly watched, and I do not know anything which has made a deeper impression upon the public mind than the belief that something like 1,500 or 2,000 poor English were left without any official assistance in Paris. I beg to ask my noble Friend opposite the Question of which I have given Notice—namely, Why the English Consul was absent from his post at Paris during the greatest part of the siege; and if, for a considerable period, the English population were not left there without any British official protection; and, further, whether Mr. Blunt has been permanently appointed Consul?

EARL GRANVILLE: My Lords, I am compelled to answer the noble Earl's Question at some length in order to explain to your Lordships what has happened in Paris during this war. In the first place, let me say I cannot go quite so far as the noble Earl in asserting that diplomatic and consular agents are bound to be kept in a besieged city to protect the interests of their fellow-subjects after those fellow-subjects have had every possible warning of the danger of remaining there, and of the difficulty which might attend any attempt to come away at a later period. I feel it right to say this, though it was not the guiding principle of our action as your Lordships will see on referring to the Blue Book. The French demanded that all non-combatants should retire as impeding the defence. On the 14th of September Lord Lyons wrote from Paris—

> "In my despatch of the 29th ult. I reported to your Lordship the steps I had taken to call the attention of British subjects to the notice issued by the Acting Prefect of Police recommending all persons not capable of facing the enemy to leave Paris, and in your despatch of the 1st inst. your Lordship informed me that Her Majesty's Government approved of the steps I had thus taken. Further notices of the same kind have been issued by the French authorities, and I have on my part done all in my power to warn British subjects of the dangers to which they expose themselves by remaining in a town threatened with an immediate siege. Large numbers have departed, those who were unable to provide from their own means the expense of the journey having been aided by the British Charitable Fund, to which most liberal contributions have been made by the public in England."—[*Franco-German War*, No. 1 (1871) No. 130.]

I am happy to say that during the whole of that period we have been able to advance money to be disbursed in one way or other by that charitable committee for the relief of British subjects. Lord Lyons goes on to say—

> "Finding, however, that notwithstanding the near approach of the invading army, many still linger, I have thought it right to insert in Galignani's *Messenger* a notice, in my own name, reminding British subjects that if, after the warnings given them, they remain at Paris, they do so at their own risk and peril, and that if they delay their departure any longer they may not hereafter be able to get away. I have also had copies of the notice printed separately for distribution among British subjects, and I have the honour to transmit some herewith to your Lordship."

I have felt it right to say this much to show the business-like steps which Lord Lyons took to warn British subjects that it was better they should withdraw. With regard to Lord Lyons himself—though my noble Friend entirely refuses to endorse the accusations which had been made against him—I beg to say that those accusations, which have been repeated in many quarters, are absolutely without foundation. At the same time that Lord Lyons is charged with cowardice in having deserted his post, I have received letters complaining of our want of sympathy as a Government in withdrawing the British Ambassador at such a time; whereas the exact contrary was the case. Let me place your Lordships in possession of what really occurred. In a letter written on the 7th of September Lord Lyons relates a conversation which he had had with Prince Metternich, referring to the representations made by Count Beust, in which the great inconvenience, and indeed impropriety, was pointed out of allowing the diplomatic body to be shut up in Paris during the siege and thus deprived of the means of communicating with their respective Governments. Prince Metternich, in consequence, spoke to M. Jules Favre, and represented to him that it was incumbent on the Foreign Minister to give notice to the diplomatic body in time to enable them to leave Paris without undue haste or inconvenience. M. Jules Favre appeared to take the same view. And what was the reply of Lord Lyons?—

> "I have said to all, that, in principle, Count Beust's view appears to me just and reasonable; but that, for my own part, I do not desire to hasten my departure from Paris without very good cause. I shall, I have said, be disposed to act in concert with my colleagues in the matter, and shall feel no difficulty about leaving Paris if I am requested or advised to so by the French Government; but I shall be content to leave the matter as it stands, without making any special representation to the Minister for Foreign Affairs. I should add that it is thought to be probable that some of the Government functionaries, and among them the Minister for Foreign Affairs, may determine upon removing from Paris. In this case, the diplomatic body would naturally follow the Minister through whom they communicate with the Government."—[No. 84.]

I am sure my noble Friend will see that, in cases of very exceptional difficulty, it is wise for a Government not to fetter a man too much, but to leave him with considerable discretion as to the course he should pursue. On the 19th of September, Lord Lyons wrote to me as follows:—

> "Prince Metternich, the Austrian Ambassador, came to me at Paris on the 17th inst., and told me that the Comte de Chaudordy, the head of the Cabinet of the Minister for Foreign Affairs, had brought him a message from M. Jules Favre which made him think that it would be desirable that the Representatives of the principal European Powers should leave Paris at once, in order not to be cut off from communication with their Governments. M. de Chaudordy had, the Prince said, informed him that the French Government expected from one moment to another to hear that the enemy had rendered the only railroad still open (the Western) impassable; and that, this being the case, M. Jules Favre, knowing that Prince Metternich was particularly anxious not to have his communication with his Government interrupted, had thought it courteous to warn him that the danger of this occurring appeared to be imminent, and that, in fact, it would be prudent for him to leave Paris the following day at latest. I told Prince Metternich that I had, personally, a great disinclination to leave Paris just then; but that, nevertheless, I should, of course, do so if it appeared that I should be more useful elsewhere; and I added that I should certainly be unwilling to act in the matter in a different way from my principal colleagues. I must, however (I said in conclusion), see M. Jules Favre before I come to any decision."—[No. 147.]

Lord Lyons accordingly went to M. Jules Favre, and related to him what had passed between Prince Metternich and himself. His Lordship said—

> "M. Jules Favre answered that his message to Prince Metternich was specially intended for the Prince himself, who had expressed to him a very marked dislike to the prospect of being hemmed in by the Prussian troops. Nevertheless he thought it only right that other Representatives of foreign Powers should know that the French Government was no longer in a position to secure their communications with the world outside Paris."

M. Jules Favre then suggested that his Lordship should go to Tours. Lord Lyons replied as follows:—

> "I said that I still disliked the idea of leaving Paris just yet, but that, of course, I should not hesitate to proceed to any place in which I could have a better prospect of being useful; and that after what he had said, if I found that my principal colleagues thought it advisable that we should go off to Tours in the evening, I would no longer

> be an obstacle to their departure. The result has been, as your Lordship is already aware, that the Austrian Ambassador, Prince Metternich; the Ottoman Ambassador, Djemil Pacha; the Italian Minister, Chevalier Nigra; the Russian Chargé d'Affaires, M. Okouneff; and I, left Paris the night before last, and arrived here yesterday. Colonel Claremont considered that, in a military point of view, Paris was the point of most interest accessible to him; and, as I concurred with him in this view, I sanctioned his remaining there. At the time I left Paris Captain Hore was too unwell to move. I left a memorandum recommending that, if able to do so, he should leave Paris as soon as he should be well enough to travel; and that if his health should not be quite re-established, he should go to England to recruit it; otherwise, that he should join me here, where he would find the Minister of Marine, and would consequently be at the main source of naval information. Finding that a not inconsiderable number of British subjects still remained in Paris, notwithstanding my repeated warnings of the risk they might incur by so doing, and of the probability that when the danger was actually present they might not be able to get away. I have left Mr. Wodehouse at the Embassy to give them advice, and, if possible, protection. I have, moreover, placed the Embassy-house, and the Government property belonging to it, in Mr. Wodehouse's charge; and I have desired him to take advantage of any opportunities he may have of sending direct to your Lordship, as well as to me, information of public interest. A few hours before I left Paris, I presented him to M. Jules Favre, who readily agreed to send and receive communications through him. Lastly, I have ordered Mr. Wodehouse to come away from Paris if the place should be threatened with immediate bombardment or other imminent danger, and have directed him, in this contingency, to do his utmost to obtain a safe passage out of Paris for all British subjects."

Now, it appears to me that, as these instructions were given, I was quite right in approving what Lord Lyons had done. I am exceedingly glad that he did leave Paris, and that he, as the holder of the dignified rank of Ambassador, went not only to Tours but also to Bordeaux; thus enabling us to say that although we could not officially recognize the existing Government, yet for all practical and business purposes our relations with it were close and intimate. I have no doubt, too, that Lord Lyons outside Paris has accomplished many things he could not have done inside the city. Lord Lyons left in Paris Mr. Wodehouse and Colonel Claremont, as he thought it would be advantageous for them to remain there with his sanction and that of the Foreign Office. Afterwards, in view of Count Bismarck's declaration, that military considerations would compel him to put a stop to all further communication with persons inside the city, Lord Lyons sent me word that he felt some anxiety with respect to the servants of the Embassy and the other British subjects who had not quitted Paris. Upon this I wrote to Count Bernstorff to obtain permission for those persons to pass through the German lines; and this leave was granted by Count Bismarck, on condition, however, that a nominal list should be furnished of the persons who desired to come out. On the other hand, the French authorities were exceedingly unwilling to let a large number of persons pass out. A month elapsed before Mr. Wodehouse left Paris, and when he did he had not quite completed his list, although he had taken every means in his power to give the requisite notice to all British subjects. He was continuing to make up the list till 12 o'clock of the day when he went away. About 126 persons accompanied him, and the hardships they had to undergo were so severe that it is doubtful whether they had not better have remained in Paris. At that time we were not aware that such a large number had remained, although we had always supposed that there were some English domestic servants, workmen, and others, who did not wish to leave Paris because they had formed connections there, while some had great difficulty in getting away on account of their poverty. With regard to the latter, I may remark that very great assistance was rendered to them by the Charitable Commission to which the Government and many charitable persons had contributed. When Mr. Wodehouse left, the Consul's clerk came away. Mr. Wodehouse was at first unwilling to allow him to come away; but on that gentleman representing that for a considerable time no application had been made to him in respect of Consular duties and the legal advisers of the Embassy having given their opinion that he would not, under the circumstances have any power there, Mr. Wodehouse included his name in the list. Colonel Claremont, however, for the reasons which had actuated him in the first instance, acting in accordance with instructions received from Lord Lyons, remained in Paris; but about the second week in December the Colonel, finding that the only other military *attaché* in Paris was about to leave, came away with that gentleman in obedience to orders received. The noble Earl seems to think that it was a happy circumstance for Colonel Claremont to have an opportunity of being bombarded and shelled in a town undergoing that process; but the fact is, that Colonel Claremont would not have acquired much military information if he had remained longer in Paris, because there was great jealousy shown in regard to letting strangers go to the front lines, and, consequently, military information was more difficult to procure during the bombardment than it would have been at the head quarters of the army in an open campaign. I cannot therefore regret the course taken by Colonel Claremont. When Colonel Claremont came out, the French authorities had resolved not to let any other person leave the city. We afterwards ascertained, however, by indirect means, that a great many Englishmen and women were suffering very much indeed, as has been described by the noble Earl, and I have already acknowledged in my despatches the aid which was given by Messrs. Wallace, Herbert, and Blount to their poor fellow-countrymen. About £42,000 was expended in giving this relief. I may add that Mr. Clark, a clergyman, also devoted himself to the work in a most remarkable way. Immediately upon hearing this we endeavoured to get our Consul in; but at that time matters had gone so far that permission to enter Paris was positively refused to everybody. We did our best to meet the difficulty by communicating with Mr. Odo Russell. From the statement of facts I have made I hope your Lordships will conclude that there has not been any neglect, but that some of the inconveniences experienced have arisen from unparalleled circumstances, against which it was impossible to provide at the beginning.

House adjourned at Seven o'clock,
to Thursday next, a quarter
past Eleven o'clock.

HOUSE OF COMMONS,

Tuesday, 21st February, 1871.

MINUTES.]—NEW WRIT ISSUED—*For* Staleybridge, *v.* James Sidebottom, esquire, deceased.

SELECT COMMITTEE—Pawnbrokers, *appointed* and *nominated;* Public Accounts, *nominated;* Law of Rating (Ireland), *appointed.*

PUBLIC BILLS—*Ordered*—Game Laws Abolition *. *Ordered—First Reading*—Trial by Jury (Ireland)* [47]; Sale of Liquor on Sunday* [48]; Infant Life Protection* [49]; Bank Holidays* [50].

ANGLO-AMERICAN COMMISSION.

QUESTION.

MR. RATHBONE asked the First Lord of the Treasury, Whether the Anglo-American Commissioners have Instructions to discuss with the American Government the advisability of England and America, as the two great Maritime Powers, co-operating to effect such changes in Maritime International Law as may minimize the risk of collision between neutrals and belligerents?

MR. GLADSTONE: Sir, if this were a question relating exclusively to the Instructions of the Commissioners, and the subject were one that had never been opened before, I think I should ask my hon. Friend to excuse me from answering him, because I do not think it desirable that the topics of their Instructions should be brought out one by one before the public of this country. Whatever is done in that respect had better be done deliberately and of set purpose, and with the consent of the two countries by an understanding together. But, in truth, this was a subject that was mooted very long before the Commission sat, and that has been discussed between the Representatives of both countries at various periods during the last two years — indeed, during a considerable number of years, and ever since a certain stage of the great Civil War in America. And I may say to my hon. Friend that I shall be very much disappointed, as well as very much surprised, if any settlement that may be come to by the two countries does not include the consideration of those improvements which it may be found practicable to introduce into maritime international law.

Afterwards—

Mr. MUNTZ asked the Under Secretary of State for Foreign Affairs, If Sir John Rose, who was reported to have been one of Her Majesty's Commissioners appointed to adjust all claims between Great Britain and the United States of America has resigned or been recalled; and, if so, why?

Viscount ENFIELD, in reply, said, it was the intention and wish of the Government that Sir John Rose should be one of the Commissioners; but for reasons, he believed, of an entirely private and personal nature, Sir John Rose felt himself unable to accept that position.

IRELAND—TRAMWAYS.—QUESTION.

Mr. SYNAN asked the Chief Secretary for Ireland, If he intends bringing in a Bill this Session to amend the Irish Tramway Acts, or a Bill to extend to Ireland the Tramway Act of last Session, with the necessary modifications?

The Marquess of HARTINGTON said, in reply, that he thought there had not yet been sufficient time to test the working of the English Tramway Act passed last Session, and he did not propose to introduce any measure of that kind for Ireland this Session.

RATING OF MINES.—QUESTION.

Mr. PERCY WYNDHAM asked the President of the Poor Law Board, Whether Mines would be made liable to the Poor or other Local Rates by the Government measure dealing with Rates?

Mr. GOSCHEN, in reply, said, he hoped the hon. Gentleman would not think him wanting in courtesy if he asked him to allow him to defer answering that Question at present. The Government were anxious to submit their proposals on local rating as a whole to the House, and he hoped he should not be pressed to anticipate any part of his general statement.

ARMY—WAGES OF SOLDIERS.

QUESTION.

Mr. DICKINSON asked the Secretary of State for War, What is the estimated equivalent weekly wage of a private soldier in the Royal Horse Artillery, the Life and Horse Guards, the Cavalry of the Line, the Royal Engineers, the Foot Guards, and the Infantry, including provisions, clothing, &c.?

Mr. CARDWELL said, in reply, that a detailed statement in answer to his hon. Friend's Question was in preparation, and if he would be so good as to move for it it would be laid on the Table.

PRISON LABOUR.—QUESTION.

Colonel BERESFORD asked the Secretary of State for the Home Department, If he intends to take any steps to mitigate the distress existing among the mat makers by reason of the employment of steam power in Wakefield Prison in such manufacture?

Mr. BRUCE said, in reply, that he had no power to take any such steps as were indicated in the Question; but he presumed the object of the hon. and gallant Member was to obtain the opinion of the Government as to whether it was advisable to continue the use of steam power for that purpose in Wakefield Prison. The subject of prison labour was one not only of great interest, but great difficulty, and now excited much difference of opinion not in this country only, but in the United States of America. It was urged by some that prisoners ought not to be employed on work that came into competition with free labour. Now, the prison regulations were these—If a prisoner was sentenced to three months' imprisonment the hard labour he underwent was generally of an unremunerative kind, being confined to the treadwheel, shot drill, and the like; but if his term of punishment exceeded three months, the remainder over that period of it might be, and usually was, spent on remunerative labour, for the double purpose of relieving the rates and of accustoming the prisoner to employment by which he might when released obtain an honest living. Both of those objects were in themselves good, and unless all remunerative labour in gaols were absolutely prohibited, he did not see how they could deal with the matter in the manner suggested by the hon. and gallant Gentleman. Whatever labour of a remunerative kind was performed in prisons must necessarily come into competition with free labour. It was said there were special reasons why these prisoners should not be employed in making mats, because the mat trade was now much depressed and the workpeople engaged in it were in great distress. The answer to that, however, was that the justices of Wakefield asserted that they could not supply the mats as fast as they were asked for, showing that there was considerable activity in the trade. He was not prepared to bring in a Bill on the part of the Government to provide that prisoners in gaols should not be employed in remunerative labour. But the subject was surrounded with difficulty, and if the hon. and gallant Gentleman desired to bring it under the notice of Parliament it would doubtless receive full and fair consideration.

SCOTLAND—GAME LAWS.—QUESTION.

Mr. FORDYCE asked the Lord Advocate, If it is the intention of Government to propose any measure on the subject of the Game Laws in Scotland during the present Session?

The LORD ADVOCATE replied, that he was not enabled to speak with greater certainty than this—that his own views on that subject were unchanged, and that he should be glad to introduce a measure on it if, looking at the state of Public Business, there was any fair chance of carrying it this Session.

FRANCE AND GERMANY — THE SIEGE OF PARIS—ABSENCE OF THE ENGLISH CONSUL.—QUESTION.

Sir ROBERT PEEL asked the First Lord of the Treasury, Whether, in consequence of the statement made by him "that Lord Lyons, in leaving Paris on the 17th September, acted under the direct injunctions of the Government at home," and as the Despatch containing these injunctions does not appear in the Blue Book which has been laid before Parliament, the Government have any objection to lay upon the Table of the House the Despatch of Her Majesty's Secretary of State for Foreign Affairs to Lord Lyons containing these injunctions to quit Paris?

Mr. GLADSTONE: Sir, I rather think my right hon. Friend has put on my words a construction somewhat broader than they would naturally appear to carry, if he supposes that we had indicated to Lord Lyons the day on which he was to quit Paris. My intention was to convey to the House that Lord Lyons had acted principally on his own responsibility, but that we were strictly and entirely responsible for what he had done, and that we had supplied him with the rules and the considerations which were to govern him as to remaining in Paris. A reference to those rules is to be found in the Blue Book that has been laid on the Table, in Despatch No. 86, as well as in subsequent Despatches, Nos. 112, 113, and 150. In the first despatch I have mentioned — namely, No. 86, to be found, I think, at page 52, the instruction is given to Lord Lyons as follows:—

> "Lord Granville approves of his having hesitated to leave Paris, as he stated in his despatch of the 7th of September, under the circumstances which then existed, and he instructs him in the name of Her Majesty's Government to concert as much as possible with his Colleagues, but also to remain in Paris as long as possible with the French Government, except in the case of an immediate bombardment."

The case of an immediate bombardment did not arise, but Lord Lyons did concert with his Colleagues and with the French Government. His Colleagues, or the Representatives of the chief States of Europe, left Paris as he did, I think much about the same time. He was in full communication with M. Jules Favre, and I think he left Paris entirely in accordance with the consent of M. Jules Favre himself; and when he found that there would be a centre of communication with the French Government out of Paris he judged rightly in acting on the instructions of Lord Granville, that he had better repair thither, and there act on behalf of Her Majesty's Government, rather than remain in Paris subject to all the difficulties which an investment by a hostile army would cause. I do not know that I need enter into further detail; but if there be any other explanation that I can give the right hon. Baronet I shall be glad to do so.

Sir ROBERT PEEL: In consequence of the answer of the right hon. Gentleman, I shall bring before the House on an early opportunity the question of Lord Lyons leaving Paris.

METROPOLIS—CAB FARES.

QUESTION.

Mr. BOWRING asked the Secretary of State for the Home Department, Whether his attention has been called to the recent conflicting decisions given by various Police Magistrates as to the present cab fares in the metropolis; and, whether he has considered the propriety of taking steps to remedy the inconvenience and uncertainty thus caused?

Mr. BRUCE: Sir, the regulations with respect to the Question of the hon. Gentleman are certainly in accordance with the intention of the Act 31 *Vict.*, which provides that whenever the fare now payable by law in the case of any hackney carriage on a stand shall not amount to the sum of 1*s.* the driver shall be entitled to charge 1*s.* It certainly was the intention of the promoters of the Act, and of those who framed the regulations, that where a third person was carried an additional 6*d.* should be paid for any distance short of a mile. An amended regulation removing the doubt as to the interpretation of the clause, and in accordance with this view, will shortly be issued.

IRELAND—QUALIFICATION FOR HIGH SHERIFFS.—QUESTION.

Mr. MONK asked Mr. Solicitor General for Ireland, Whether any, and, if so, what qualification is required for the office of High Sheriff of an Irish County; and, whether he is of opinion that a gentleman possessing neither lands nor residence in Ireland is legally qualified and liable to serve that office?

The SOLICITOR GENERAL for IRELAND (Mr. Dowse) said, in reply, if the hon. Member's Question had related to a mere abstract point of law, he should have been indisposed to enter upon it; but if it related, as he assumed it did, to the recent appointment of the High Sheriffs of Westmeath and Louth, he was in a position to state that the High Sheriffs of those counties had been selected by the Lord Lieutenant in the usual way from the list sent in to him by the Judges. He must assume that the Judges had done their duty, and had returned the names of gentlemen duly qualified and liable to serve as high sheriffs. Under these circumstances, he trusted the hon. Member would think that he was not justified in proceeding further in the matter.

Mr. MONK said, in consequence of the hon. and learned Gentleman's Answer, he should proceed with the Motion of which he had given Notice for that evening.

RELIGIOUS RESTRICTIONS ON JEWISH LABOUR.—QUESTION.

Mr. JACOB BRIGHT asked the Secretary of State for the Home Department, Whether his attention has been called to the fact that several poor Jews have recently been subjected to heavy fines by Manchester magistrates, under the provisions of the Workshops' Regulation Act, for working on Sundays; and, whether it is his intention during this Session of Parliament to amend the Act so as to remove this injustice?

Mr. BRUCE said, in reply, that his attention had not been specially called to the cases referred to; but he was aware that persons of the Jewish persuasion were subjected to hardships under the present law. Those hardships, however, arose, not so much from the operation of the Workshops' Regulation Act as from that of the general law of the country, which prohibited work being done upon the Christian Sunday. The Jews, by their own religion, were prevented from working on the Saturday, and thus their power of labour was limited to five days in the week. The subject had been considered by the Committee, which had sat upon the Workshops' Regulation Act, and everything had been done, without actually violating the law of the land, to relieve the grievances of the Jews upon this subject. He understood that it was the intention of the hon. Member for Greenwich (Sir David Salomons) to challenge the opinion of the House upon the matter.

PATRONAGE OF THE POST OFFICE. QUESTION.

Mr. HANBURY-TRACY asked the Postmaster General, Whether, in reference to the statement made by the Secretary of State for War that the patronage of the Post Office, as far as practicable, would be used for the purpose of giving employment to Pensioners and persons connected with the Army Reserve, it is the intention of the Government to extend that privilege, in a fair proportion, to persons in a similar position belonging to the Navy?

Mr. MONSELL said, in reply, that the plan for the employment of persons connected with the Army Reserve had been under consideration, but had not yet been matured; and, therefore, he could not give a definite Answer to the Question. He had consulted with his right hon. Friend the Secretary of State for War, who agreed with him that if there were any persons in the Navy holding analogous positions to those in the Army Reserve, it would be quite fair that every advantage offered to the latter should be offered to them also.

GRIEVANCES OF CUSTOM HOUSE OFFICERS.—QUESTION.

MR. GRAVES asked the Secretary to the Treasury, If the Committee appointed in 1869 to investigate certain complaints of the Officers of Her Majesty's Customs in London has completed the inquiry; and, if so, whether it is intended to submit the Report to the House; and, if the inquiry will be extended to the investigation of complaints submitted to the Treasury by the Officers of Her Majesty's Customs at Liverpool and other principal out-ports?

MR. STANSFELD, in reply, said, the inquiry to which the hon. Member's Question referred had, as he thought he was aware, resolved itself in the main into a question of the organization and the working of the Account and Statistical branches of the Customs in London. That inquiry was now complete, and the Papers would shortly be laid before the House. He hoped the result of the inquiry would be satisfactory in point of simplification and of the reduction of labour and of expense. With regard to the second part of the Question, the Board of Customs had given instructions to the large out-ports to deal with the subject in the same manner as it was dealt with in the port of London.

ELECTIONS BILL.—QUESTION.

MR. DISRAELI: Sir, I wish to ask a Question with reference to the Elections Bill, which has been set down for the second reading on Monday next. It is not yet in the hands of hon. Members, and it would be convenient that they should have further time to consider its details. There is a great deal of other business on the Paper for Monday, and therefore I hope Her Majesty's Government will not proceed with the second reading of the measure on that day?

MR. W. E. FORSTER: The Elections Bill will be delivered to-morrow. And I should hope, under those circumstances, that the House will not object to proceed with the second reading of the measure on the day already fixed for taking it.

Moved, "That the House, at rising, do adjourn till *To-morrow* at Two o'clock.—(*Mr. Gladstone.*)

Motion *agreed to.*

ARMY ADMINISTRATION.

RESOLUTION.

MR. TREVELYAN, who had given Notice of his intention to move the following Resolutions:—

"1. That, in the opinion of this House, no scheme for Military reorganization can be regarded as complete which does not alter the tenure of the Command in Chief in such a manner as to enable the Secretary of State for War to avail himself freely of the best administrative talent and the most recent military experience from time to time existing in the British Army:

"2. That the consideration of the cost involved in the abolition of the Purchase system urgently calls for the immediate removal of obsolete and antiquated sources of military expenditure,"

said, the House would probably be at no loss to understand why the first of the original Resolutions he had intended to move was withdrawn; but he might remark, before proceeding to refer to the remaining ones, that the reason the former Resolution was withdrawn, consisted in the fact that the announcement made by the Secretary of State for War on Thursday night, that the system of purchase in the Army was to be abolished, had given great and unalloyed satisfaction to Army Reformers. ["No, no!"] He believed that to be the case, and also that the satisfaction was not confined to the mere followers of the Government, because he knew that several hon. Members opposite had approved the scheme of the Secretary of State for War, and that many military men who had formerly opposed the abolition of purchase, but who preferred to yield the point rather than subject the service to the disadvantage of the method of officering the Army becoming the subject of continual and acrimonious discussion, thought that if the non-purchase system was to be adopted the Government scheme was satisfactory, it being just to the individual, thorough in its scope, and economical to the public. He congratulated the Government upon having acknowledged the principle that officers were to be compensated not only for the sums they had actually paid out of pocket, but for amounts to which they would have been entitled had the purchase system continued in force, with the exception, of course, of what might be termed "fancy prices." The principle of compensation propounded by the Government was the right one, because it placed the Government in the position towards the officer which would have been occupied by his brother officer had things continued as they were at present. No doubt a great expense would be involved; but he regarded it as a good omen that, when the expenditure was mentioned, the cheers indicating the feeling that the sum was large came from the Opposition Benches, the occupants of which never grudged money when the national honour was concerned, while those hon. Members who were generally supposed to be rather scrupulous guardians of the public purse remained in silent acquiescence. As was inevitable, a proposed change of this kind had created a certain amount of discontent, because it had injured certain interests and rudely shaken some old cherished beliefs. For this reason, he and those Army Reformers who acted with him would always look back with great pleasure upon the fact that by taking the present step they had relieved Her Majesty's Government of some share of the unpopularity attaching to the question. Before leaving this branch of the subject he wished to make a personal statement, and he hoped it would be received in the spirit in which it was offered. What he wished to say was that the peculiarity of purchase was such that those who objected to the educational and moral effect of the Army system of promotion and first appointments were obliged, in expressing their views, to say things annoying to officers who held their commissions under that system. During recent discussions he had no notion that there was any chance of purchase being abolished, and therefore in speaking of it he adopted the tone which men used in speaking of a position they believed to be impregnable; while if he had believed purchase was about to be abolished he should have adopted a different tone. With regard to the second Resolution, he had been told by a great many hon. Members that, having got to a part of what he wanted, and a most valuable part too, it was time to withdraw the rest, as he must not be exacting and impracticable. In his opinion, however, a man need not have been many years in that House to know what was the precise point at which it was best to his individual interest to withdraw from a question in which he had gained a certain amount of success. But, in his opinion, and in the opinion of many others who had advocated the question in the country, he had no right to arrange away the object of a Motion on which he had been engaged with any considerable success. The cause was not theirs to bargain with or compromise; and although he adopted with unfeigned gratitude the concessions which had been made as generous and real, still as regarded what had not been conceded he felt bound to submit the issue to Parliament. This was the course he intended to pursue. He had no doubt he should be beaten. Four years ago he and those who thought with him were well beaten on the purchase system. Three years ago they brought forward exactly the scheme the Government was now proposing, except that Government had made certain alterations which he fully acknowledged to be ameliorations on his scheme. He should, therefore, state his case to the House in the firm belief that it would not require many more annual Tuesdays before the present exceptional tenure of the office of Commander-in-Chief should have gone where the purchase system had gone before.

The Secretary of State had made several excellent and sweeping changes in relation to the War Office and Horse Guards, particularly as regarded the number of letters which had passed between the Departments; whereas nothing should have passed except Minutes. He strongly recommended hon. Gentlemen to read the evidence of Mr. Godley, the late Deputy Assistant Secretary for the War Office, before the Army Organization Committee of 1861, in reference to this subject. Mr. Godley there said that the feeling of the Army towards the War Office was quite different from that of the Navy towards the Admiralty, the former regarding with jealousy the civil departments which checked and controlled the heads of the Army. Now, how did the Secretary of State for War propose to remedy this? The first step was to alter the wording of the patent by which the Commander-in-Chief was appointed. The right hon. Gentleman soon found that this alteration was not sufficient, and Lord Northbrook, Sir Edward Lugard, and Sir William Anderson concurred in that view. The right hon. Gentleman the Secretary for War then proposed to amalgamate the two Departments by a change of locality. But this would not, in his (Mr. Trevelyan's) opinion, be sufficient. It was not by an alteration of the arrangement of any rooms and passages in a public Office that he could alter the relations between a Parliamentary temporary officer and a permanent public servant of the highest rank, who had held office for 14 years under a system of administration and in a position entirely different from that which now existed. If the Secretary of State were to sit at his desk at one end of the room, and the Commander-in-Chief at his desk at the other, the present relations would still exist so long as the military adviser of the Secretary of State was a permanent officer with the rank and title of Commander-in-Chief. It was idle to say that the the office was not permanent because it was held only during the pleasure of the Crown. In such a state of things the Commander-in-Chief could not be removed from his office without some stigma being inflicted, which no Government had a right to inflict, especially on an officer who had always done his very best — as the present Commander-in-Chief had done—to the Army and his country. So long as the Commander-in-Chief was a permanent officer, taking precedence in men's minds of every officer in the Army, the post must, of necessity, be conferred on a Royal personage, or upon a general of great age and classic reputation. In the great majority of cases the Commander-in-Chief would be drawn from the second of the two classes he had mentioned, and in that case he must almost necessarily be a man who had lived so long as to be past his work, with the further disadvantage that, once appointed, he could not be removed, although the older he grew the less efficient would he become. How could a Secretary of State —a young man perhaps, go to an officer, who at the period of the Secretary's birth was engaged in fighting and beating the French, the Affghans, or the Sikhs, and tell him that he was behind his time, and must give place to a younger man. And war having become more of an art, it was every year more necessary that there should be a rapid succession of new ideas at head quarters, instead of a series of men who would stick to the experience of their youth until that experience had become obsolete. In addition to this consideration, it would, in his opinion, be a great advantage if the position of Commander-in-Chief could be offered as a reward to a great number of the ablest soldiers in succession, in which case officers would be stimulated to greater exertion by the prospect. Who had been the Commanders-in-Chief of the British Army within a recent period? First, he would mention Lord Amherst; then the Duke of York, who filled the office from 1794 to 1809; next Sir David Dundas, who merely occupied the place as a sort of warming-pan during the two years in which Lord Palmerston vindicated in his person the position of Secretary of State for War; and he, in turn, was followed by the Duke of York in 1811, after whom came Lord Hill, who filled the office for 14 years, and was succeeded by the Duke of Wellington. Hon. Gentlemen opposite would perhaps not care to hear anything that he might say of the Duke of Wellington. But what was said by Lord Grey, who was better acquainted with military affairs than any other civilian? Lord Grey stated that the Duke showed an indisposition to any change of system in the Army; that he objected, in the strongest manner, to giving up the old musket for the new rifle; and that he pertinaciously opposed any alleviation in the extreme severity of corporal punishment then in vogue, and the exemption of well-conducted men from that punishment. Now if the Duke of Wellington had been Commander-in-Chief only for a few years immediately after the Peninsular War, the country would have had the greatest administrator in the world filling that office; but as it was, the Duke remained at his post till he did more harm than good, because he was opposed to changes in the material of war essential to the defence of the country. This, however, must be said for him, that though he left the country undefended he was always a great economist, and though he left the country undefended it was undefended at a very little cost indeed. Lord Hardinge next filled the office, from 1852 to 1856, and of all Commanders-in-Chief he did most good; but, unfortunately, he died before he had filled the office four years. The reason why his career was looked upon as a bright spot in the history of the Horse Guards was that nature did for him what the Army Reformers proposed to do for the Army by this five years' appointment. Suppose that, instead of a succession of old officers, they had had a succession of comparatively young men, ranging from 45 to 60, would the Army now be in the state in which the Secretary for War found it? He saw a noble Lord opposite (Lord E. Cecil) with whom he had not often agreed during the course of the last autumn, though he was quite sure they were still on very pleasant terms, and that noble Lord proposed, in a letter to *The Times*, that a colonel and major should hold an appointment for three or five years. Well, if it was important that the man at the head of a regiment should hold a limited appointment, he thought it was more important that the officer at the head of the Army should hold a limited appointment. In India the Commander-in-Chief, whose business was administration, held a five years' appointment, and the Military Secretary, whose business was promotion, held a five years' appointment. Why, then, should the Commander-in-Chief, who united in his own person the administration and promotion, have a permanent tenure? Another method of dealing with this question was to give the work of the bureau to a man of humbler title than that of the Commander-in-Chief. He might be called chief of the Staff, military secretary, or adjutant general, still having the command-in-chief at the head of the whole Army. If we looked at the example of Prussia, it was most important that the head of the whole Army should be relieved from all paper work, and that he should spend his days in going about from district to district, and seeing that the generals of those districts did their duty, and in seeing whether the arsenals were in a proper state—he (Mr. Trevelyan) hoped we should soon have local arsenals—and in seeing that the general Staff were thoroughly educated in military matters, and did what was required of them. On that point he had the very high authority of Lord Grey, who strongly recommended that we should have a board at the War Office, which board should have the advice of military officers, just as the Admiralty had a board who had the advice of naval officers. He did not venture to point out to the House what remedy should be proposed for the present state of things; but he asked them to affirm by their vote that night that the permanent holding of the office of Commander-in-Chief was not to the advantage of the Army or the country. The Secretary of State for War, in his very interesting speech on Thursday evening, dwelt almost entirely on promotion with regard to the duties of the Commander-in-Chief. He said it was necessary that the person in whose hands those very large powers were vested should be appointed by the Commander-in-Chief, subject to the approval of the Secretary of State. Now, in the year 1869, out of 571 promotions only 116, or one-fifth of the whole, were without purchase. What an enormous responsibility, therefore, was left on the shoulders of the Commander-in-Chief! When the right hon. Gentleman remarked that the purchase system did away with favouritism, he was much cheered by hon. and learned Gentlemen; and no wonder, because so long as the present system was continued promotion would run very much in the same set of persons. It was curious to see how the five years' rule had been set aside. One single officer obtained a series of five years' appointments. He was for 10 years quartermaster general at the Horse Guards, after that he was Governor General of Gibraltar, then he became adjutant general, and he had no doubt that when his time was up he would become quartermaster general again. The result of this permanency of office was curiously shown in the ideas current at the Horse Guards. He now came to a point on which he was aware he was trenching on delicate ground. After he had said things on the platform in the country he was not the man to be afraid of saying them, he hoped in becoming terms, in his place in the House of Commons. The Secretary of State for War, on Thursday, said Her Majesty's Government thought that the position of the Commander-in-Chief must be looked upon as exceptional, and that time could not be taken into account with reference to his continuance in or removal from office. In case of invasion everything would depend upon who would lead our soldiers in battle. How would the commanders of our battalions be chosen? The Commission which sat in 1857 recommended that the Commander-in-Chief should be authorized to select them from the heads of battalions. His Royal Highness the Commander-in-Chief, being asked by the Commission whether he thought that what was applicable to colonels should not also be applicable to lieutenant colonels, said he thought not, because a colonel did not command a regiment; he was a mere nominal head; he was selected for services performed in former days, and his appointment was given to him as a reward for services. He was asked, if the Commander-in-Chief were backed by public opinion could he not go a step further than the rejection of bad officers and select the fittest men? His answer was—

> "I think not. My opinion is very decided that the power of selection is impossible, whether exercised by a military man or a civilian, and I do not think that any man having that power would hold his position for six months in the country."

And, again, the Commander-in-Chief said—"I don't see how you can make a standard of selection." [*Cheers.*] Hon. Gentlemen seemed to think that in no country had the problem been solved. It had been solved in Prussia; it had been solved in France. [*A laugh.*] Hon. Gentlemen might smile when he mentioned the French Army as an illustration of the successful solution of the problem; but it was evident that when two nations, which officered their armies by selection, went to war one must win and the other lose, and the defects of the French troops were no argument against the wisdom of the principle of selection. But it was not in foreign countries only, but in England also that the question had been solved. Every service constituted on a proper basis had within it such a public opinion that promotion, to a great extent, could not be wrongly made against that public opinion. Let them look at the Indian Civil Service, in which though here and there a little favouritism might have crept in, yet no good man could be long kept back from the promotion which he merited. Again, take the case of the masters of our public schools. These posts were practically filled by the strictest open competition; and, whenever a bad appointment was made, the noise of it rang from one end of the country to the other. Of course, the public opinion of the Army could be brought to bear by calling for confidential reports from the officers in command of the various districts, and one of the advantages of localizing the Army would be that these reports might be sent in, and the duty of making the appointment left to the Horse Guards. The Secretary of State for War, the other evening, said—

> "That you would do harm in the Army if, in abolishing purchase, you substituted seniority pure and simple. I believe the truth is that if you abolish purchase you must accept the principle of selection. . . . . You must not allow inefficient seniority or a system of pecuniary advantage to prevail."

But the officer who was responsible had assured them beforehand that selection must end in seniority, for he had said, in order that the Commander-in-Chief might guard against the odium arising from promotion by selection, he must adopt the system of pure seniority. Now, it was a very formidable thing when the officer appointed to select not for the next five years, but for the term of his life, made such a statement. He now came to a most important point. The Secretary of State for War had said that there was one important consideration at the root of this part of the question—namely, that it was just possible, after spending the large sum of money estimated to be necessary for the abolition of purchase, they might be laying the foundation of a system of underhand purchase. And what said the Commander-in-Chief on that point?—

> "That with the large fortunes which gentlemen in this country possessed it would be very difficult to abolish the purchase system, and that if it were to be abolished to-morrow, you would have—in spite of all the care and attention that the authorities could give—an underhand system of purchase going on the next day."

Now, the nation could not be placed in such a dilemma if they had a Commander-in-Chief with a strong hand, who was determined to make his selections so as that no one should know beforehand whether he was going to be promoted or not, and who was also resolved to punish severely any officer immoral enough to give money for promotion after the right of purchase had been abolished. But it was to a Department animated by such a spirit that they were going to commit what General Trochu called the "corner-stone" of our military defences. The right hon. Gentleman the Secretary of State for War had asked three questions the other night. First, he had asked—Were they prepared to deal with the question of retirement? He replied—Yes, they were prepared to take a national and lively interest in it, when they were once assured that the retirement money would not go to sinecurists, but to officers who had spent their lives in the service of their country. The right hon. Gentleman next asked—Were they prepared to adopt the principle of selection? He (Mr. Trevelyan) replied—Yes, if the task of carrying out that principle were not to be committed to men who had over and over again declared themselves to be unequal to the burden. The third question of the right hon. Gentleman was—Are you prepared to sacrifice a large sum of public money for the purpose of extinguishing purchase? He answered—Yes, if it were not that they had been told by those who were responsible that all that money would be sacrificed in vain. He did not feel justified, after having spent four or five months in recommending the nation to abolish purchase—[*Ironical cheers*]—he did not feel justified, now that purchase was going to be abolished, at a cost of £7,000,000 or £8,000,000, in letting the occasion pass without solemnly warning them that, unless the tenure of the office of Commander-in-Chief was limited as he proposed, every penny of it would be spent in vain. He did not think anyone who considered the largeness of the sum, and the importance of the issues involved, would hold that a Member of Parliament who had put the opinion of the Commander-in-Chief on selection before the House had made a gratuitous personal attack, or had exceeded his right as a taxpayer or his duty as a Member of Parliament.

The Secretary of State for War had dwelt very much on the question of promotion; but they must remember that the military advisers of the Crown had also other duties to perform. Military gentlemen had a very great distrust of the knowledge which civilians had of military matters. He could assure those gentlemen they had not a deeper sense of their deficiency than had civilians themselves, and there was no civilian who was more sensible of his deficiency than the man who from time to time was at the head of the War Office. Therefore, the more unable a civilian was to initiate a military policy the more necessary was it for him to have at hand military men who could give him the best advice. The right hon.

Gentleman the Secretary of State was the very last man behind the back of his responsible advisers to ask advice from other men. Nothing in official life created so many heartburnings as the adoption of such a course. But let the House consider for a moment how far the authorities of the Horse Guards were competent to give the Secretary for War sound and intelligent assistance in the solution of the great questions that would have to be solved in the course of the next two or three years. We should have to decide whether we should make a separation between the home and foreign battalions, because, until that was done, the Short Enlistment Act would be a nullity. We should also have to make up our minds whether we should localize our army by making a complete re-division of the country into military districts, and, when we had done that, whether we should have a system of local supply and local arsenals. He would go further, and place the supply in the hands of the generals of the districts. Then we should have to go into military education, which was almost an innovation in this country. On all these questions the latest information and the best advice would be required. He was aware the Government would say—"It is quite true we require good officers. We are responsible for our subordinates; it is not fair to attack them. If anything is wrong, attack us." His answer was —"It is quite true the Government are responsible for naming their executive; but the House of Commons is responsible, especially after the speech of the Secretary of State, for ordaining what the tenure of office is to be which those officers are to hold." Well, then, what was the policy of that Department on which they had conferred such high powers? The Horse Guards — and here he dropped any allusion to individuals—had invariably opposed every improvement in which the country, and he believed in which officers who best knew their business, had taken an interest. The Horse Guards had always opposed the abolition of excessive flogging. Two years ago flogging had been finally abolished, but the Horse Guards thought we ought to go on flogging still. The other night the Secretary of State spoke of "marking," that is branding, but he called it by the more pleasant name. The Horse Guards opposed the abolition of that. When a Committee recommended to the Secretary of State, with a view to the improvement of the position of the soldier, that he should be excused from paying for barrack damages, amounting to about a penny a month, the recommendation was not received with favour by the Horse Guards; but when it was proposed to increase the sef-respect of the private soldier by marking deserters with the letter D, they assented to that with shameful alacrity. As to the question of long and short service, it was notorious that the greatest obstacles were thrown in the way of the carrying out of the long and short service Act by what might be called military men of the old school and the Horse Guards generally. Then came a question which related to a matter which was absolutely essential to the well-being of the Army—the turning out of incorrigibly bad characters; and it was well known that with respect to it the colonels could hardly get that authority which they all frequently wished to exercise. Then, with regard to promotion in the ranks. While he was not one of those who thought that elderly soldiers ought to be promoted, he was of opinion that promotion should be had recourse to in the case of young men who showed military aptitude, so that the feeling of hope in the lower ranks of the service might be kept alive. The Horse Guards seemed to be of that opinion also, because he found that during the years 1854, 1855, 1856, 1857, and 1858, when they were engaged in deadly struggles in the Crimea and in India, no less than 483 privates were promoted from the ranks; but when peace returned the door was shut in their faces, and during the years 1861, 1862, and 1863, the promotions from the ranks were respectively three, four, and eight. In a Minute issued by Sir William Mansfield in India, he said that the discharge of bad characters from the Army raised the condition of the soldier, and that he would make the discharge from it looked upon as a punishment and the remaining in it a privilege. It was well known that in time of war commissions were almost of no value whatsoever. Then officers were not able to leave the Army except owing to invalidity or death, and the consequence was that at the end of the war the value of commissions fell almost to nothing. In the Crimean War the value of commissions fell very low indeed, and the consequence was that men like Lord Clyde, Lord Strathnairn, and others would have abolished purchase at the moment when we might have got rid of it for a much smaller sum than at present. He recollected that at that time persons now in the Army would have thought it a good investment to get rid of purchase. Warning was given the Horse Guards at the time; but they refused to take advantage of the golden opportunity. On the contrary, the system had been extending ever since, and whatever might now be the cost to the nation of abolishing it—whether it should prove to be £7,000,000, or £8,000,000, or less, or, as some anticipated, as much as £11,000,000, the expense certainly would be some millions more than it would have been in 1856, and Army Reformers might fairly say that all that extra cost was attributable to the Horse Guards. Within the last 18 years £300,000,000 had been spent on the Army, and the yearly Estimates had gone up from £8,000,000 to £14,000,000, which were spent under the advice and auspices of that Department. Yet those very Gentlemen who were always praising the Horse Guards in Committee upstairs and at public dinners, did not hesitate to tell us that we were utterly defenceless, that we were a nation of shopkeepers, and that all the weakness of the country, in a military point of view, was owing to the parsimonious policy that had been pursued. The burden of proof ought, he thought, to be thrown on those Gentlemen and the Horse Guards, and they ought to be called upon to show why they wanted more money, seeing that so many millions had already been expended to render our Army efficient. They were told, however, that though the Horse Guards up to this time had been reactionary, they had now altered their tactics and were going to march with the times; that they had swallowed the abolition of purchase, and that therefore the new order of things might be safely initiated under their auspices. He begged to say, however, that what the nation wanted was not military advisers who, when no other course was open to them, could "swallow" this or that reform, but men who could themselves originate and devise the necessary innovations. The Secretary for War ought, he thought, scarcely to be called upon to expend so much vital power in forcing reforms down the throats of men who should have initiated them, as had been the case with his right hon. Friend now at the head of the Department during the last few months. The truth was, he ought to surround himself with men such as those whose services the First Lord of the Admiralty had secured, whom it would be his duty rather to regulate and restrain than always to be urging on in the path of reform.

He must add that the pleasure which he had derived from the statement of his right hon. Friend the Secretary of State for War the other evening was somewhat spoilt by the aspect of the Estimates. It was, no doubt, because his right hon. Friend had so much to say that he gave no explanation on points which were almost of as much interest as the purchase question. He alluded especially to the reappearance of certain antiquated and objectionable items in the Estimates which swallowed up a great deal of money. The right hon. Gentleman would, he hoped, seize the present opportunity to inform the House what was meant by those items. He had recently made a comparison of the cost of the English Army and that of the Army which it most resembled — or did two or three years ago — namely, the French. In 1868 the latter consisted of 400,000 men, and it cost something over £15,000,000, but a portion of that amount—perhaps a great deal—went to keeping up the Reserves. Still, he would argue as if the whole £15,000,000 were spent on the peace establishment, which would make the cost of each man £37 10*s*. In 1871-2 our Army numbered 133,000, and the cost was £14,697,000. If you deduct for the pay, pensions, and equipments of the Reserve forces £2,348,000, and for the issue of warlike stores to the Navy, £263,000; the result is a sum of £12,086,000 for the Army, or an average of £89 per man. Now, they would be told, perhaps, that theirs was a colonial Army, which cost a large sum for transport. But £250,000 is taken for transport on the Navy Estimates. We are told that we have voluntary enlistment, while Continental armies are raised by conscription. But let them consider what difference that made. The private soldier received 6*d*. a day. In any case, however the ranks were recruited, the nation must feed and clothe its Army, so that the daily 6*d*. was the whole additional charge, and that represented a total of £1,035,000. Deducting that sum from the Estimates, the cost of the British soldier was still £80, or more than twice that of the French soldier. What were the real causes of the difference? First, he would point out that we had 275 generals of cavalry, and 48 generals of artillery and engineers, 323 in all; whereas, in one year, only 42 of them were employed, and in the present year only 30 of them were employed at home. Of the whole number, 168 were over 65 years of age. It was evident that until they named exactly their working establishment of generals, and promoted only on it, there would be no end of jobbery. He must also say that 148 of those gentlemen were colonels of regiments, and that £162,500 was swallowed up in the payment of sinecure honorary Army colonelcies. He knew of one officer who, between the age of 32 and 52, had received £40,000 of pension in addition to his salary. The first condition of a pension was that it should not be taken at the same time as salary; but there was not a single officer, either at the War Office or the Horse Guards, who did not receive, or hope to be receiving, at some stage of his career from £1,000 to £2,000 a-year, in addition to a very adequate salary. The next condition of a pension was that it should be given upon fixed and impartial rules, and in certain proportion to the length of service and the amount of salary received. The fact, however, was that of two officers of equal service and merit, but unequal position and interest, one got a colonelcy with £1,800, £2,000, or £2,200 a-year, and the other languished in retirement on 25*s*. a day. He would pass over the half-pay list, because it was a sort of antechamber or succedaneum to the purchase system. It was used, to a great extent, to assist the purchase system; but it ought to be reduced by every officer who was not a temporary invalid. That was the proper use of half-pay. Above all, you ought not to have able-bodied men who were on unattached pay and promotion. What would our Civil Service Estimates be if we had a supplementary list of Judges, unattached Commissioners in Bankruptcy and Lunacy, and Inspectors of Schools? The proper rule was that no man should receive pay for work that he was not doing, or a pension for work that had not been done. An item which he (Mr. Trevelyan) was ashamed of seeing again in the Estimates was that of Army agents, to whom £37,231 had been paid this year. What were the duties of those agents? In the first place, they kept the banking accounts of the officers; but if the State paid men for being the bankers of officers, it might as well pay Messrs. Tod Heatley for being the wine merchants of the same officers' messes. Then they were credited with managing the purchase system, but that was only as bankers managed the transfer of balances, or as house agents managed the transfer of property; and you might as well, when a living was sold, pay out of the diocesan fund the agent who advertised that living. The Army agents handed over to the officers their pay after receiving it from the Paymaster General; but if the paymaster of a regiment could contrive to pay 800 or 1,000 men, surely he could pay some 30 officers besides? According to the most eminent of our living public servants (Sir William Anderson), it would be cheaper to pay that class £40,000 a year for doing nothing whatever. He next came to expenses generally allowed to be legitimate and normal, but which a household Parliament must certainly examine—the exceptional payments made to officers of the Brigade of Guards. These officers now paid highly for their commissions, and, having regard to the money thus sunk by them, it would be unjust to reduce the salaries of existing officers. But in future why should a lieutenant colonel of the Guards receive 26*s*. 9*d*. a day and the lieutenant colonel of a Line regiment 17*s*.? Why should a major in the Guards receive 6*s*., a captain 4*s*., and a lieutenant 1*s*. more than officers of the corresponding rank in ordinary regiments? The special allowances to officers in the Guards must also be reduced. Then came the greatest and most useless expenditure on the Household Cavalry. To begin with, the officers were much more highly paid; but he would not go into that just now. Let him, however, contrast the average expense of the Household Cavalry and the ordinary cavalry. Including the cost of clothing and the pay of officers, the cost of a private in the former was £87 as against £57; while with the purchase of horses it was £114 as against £83 in the cavalry, and £46 in the infantry. The proportion of officers was as one to 13 men in the Household Brigade and in the cavalry of the Line as one to 16. Why was this Brigade wanted? The men were quite unsuited for modern warfare; they were too heavy for escort and they were not wanted as police. In the French Army, which was so much greater than ours, the Emperor's Cent Gardes consisted of only 221 men. In England the Royal escort consisted of 1,332 men, which was quite 1,000 too many. The nation would never believe the House of Commons was in earnest about economy as long as they paid £80,000 or £90,000 more than was necessary for the Royal escort. Next he came to Chelsea and Kilmainham Hospitals, which were of the same nature as Greenwich. Acting in the belief that old men might live far better in homes of their own, at a cost of £27 or £36, than pass a disagreeable and disreputable sort of monastic life at a cost of £90, Parliament wound up Greenwich Hospital, which might be said to be closed by the almost unanimous suffrages of the old men themselves. A Commission was appointed to consider the propriety of applying the same principles to Chelsea and Kilmainham; but the majority of the members had a stronger feeling in favour of retaining the good appointments held by brother officers than they had either for the welfare of the old men or the cost of Chelsea and Kilmainham to the State. Next came the largest of these items—£1,300,000 for men's pensions; and as bearing on it, Government should declare whether the short system was to be practically worked by the separation of the home and foreign battalions, and whether they would not say to a man—"We will take you for three years, and at the end of that time we will send you back to your business and your sweetheart." Till this is done—till you cease to reserve the right of keeping a man for six years, and sending him to Aden or Jubbulpore—you will never give a fair chance to short service, or diminish your pension fund. Another point was the expense of the Horse Guards. In 1794 Lord Amherst, who must have been a very economical administrator, left the expenses of the Horse Guards at £894. He got a War Office clerk, and paid him 10*s*. a day extra for his services as secretary. The Duke of York appointed an Army colonel as secretary, and the expenses increased; for, according to the Report of a Commission of Inquiry, they amounted in 1809 to £7,638. The expenses of the Horse Guards were now £49,311, of which sum £23,843 went to military men, in addition to their pay and their other emoluments. At the Admiralty the Senior Naval Lord had £1,500 a-year in addition to half-pay; the Junior Lord £1,000; and the Captain for the reserve business, £365; with a Private Secretary at £365—that was to say, that the Navy was well worked in that department of the business for £3,230, as opposed to £23,843. He spoke under correction; but if the pay of the present Military Secretary at the Horse Guards had not been lately docked, this officer alone received, including his honorary colonelcy, over £3,000 a-year. His successor would get £2,500 per annum, which was a very good salary for an amanuensis and a mouthpiece. The corresponding office at the Admiralty was filled by a captain on half-pay, who received £1 a-day in addition to his half-pay. He (Mr. Trevelyan) would be the first to own that the country was not in a condition for the Secretary at War beginning a great system of military re-organization two years ago. The Government had reduced the number of men by 20,000, and did so with the full approbation of the country; but it was to be regretted that the Government did not feel itself warranted at the same time to put an end to the rich sinecures of which he now complained. Every soldier under the administration at the War Office of the right hon. Baronet the Member for Droitwich (Sir John Pakington) cost £59; and every soldier at the present time cost exactly the same or a fraction more. There could be no doubt that the country was ripe for re-organization, as also for an immense and sweeping reduction in the expenditure. The practice hitherto had been to heap new expenditure on old; but in a place of business it was the custom to provide for new claims by the extinction of old, and, as had been well said by the First Lord of the Treasury, at Warrington, in 1868—

> "Who supposes that expenditure of £70,000,000 a-year goes down every year to the same purpose? You cannot stereotype the wants of a great Empire. New wants are always coming forward; but where there are new wants, and where provision has to be made for new wants, that provision ought to be counterbalanced by new economies."

The First Lord of the Treasury and the Secretary for War would have an opportunity at this early period of the Session to see where these new economies could be best made and what old abuses should be sacrificed. He was confident that the whole of these items, which had been so long subjected to hostile criticism, would disappear from the Estimates when the last vested interests had died out; and their disappearance would not only tend much to disarm opposition in that House, but also confer the greatest benefit on the country. There was at present a growing feeling that a vigorous re-organization, if accompanied by internal economy, would place the national defences on a good footing without adding a penny to the present Estimates. If the present Estimates were persisted in, it would be a cruel check to the interest the country was taking in its Army when they found that increased efficiency meant only increased expenditure on all the old items. The country had been imploring in certain dumb ways, but very earnestly, for a national Army, and it was cruel to answer it by giving another £3,000,000 to the Horse Guards, and by strengthening the hands of its officials by publicly endorsing their permanent tenure of office. Men judged the unseen by the seen, and when these objectionable items appeared every year it was thought tolerably certain that a reactionary military influence had power in matters removed from the world's notice. If the form of these Estimates was final, their passage through Committee would be one long protest. He and others would fight the Army agencies; they would fight the honorary colonelcies; they would fight every job and every sinecure from the first page of the Estimates to the last. But if the Government acted as their antecedents would lead men to expect, and their supporters had a right to ask, then—speaking not in name of any, but expressing the sense of many who sat around him, he would venture to say that, whatever abuse Ministers assailed, whatever expenditure they asked for not for the purpose of temporarily increasing, but of permanently consolidating the national forces, they would be met, from that part of the House, in a spirit of well-grounded confidence and gratified loyalty. The hon. Gentleman concluded by moving his Resolution.

MR. ANDERSON, in seconding the Motion, desired to compliment the hon. Member on his exhaustive speech; and to join with him in thanking the Government for the bold step they had taken in abolishing the purchase system. But while he thought that did entitle them to some consideration for shortcomings in other respects, it did not atone for the conspicuous absence for three years past in their Estimates of any propositions dealing with abuses in high places. The Government had exhibited great tenderness and timidity there, though it was notorious that it was in the highest ranks that the expenditure was most lavish. The Government might think little of this omission, but the tax-payers—especially those of the large constituencies—did not think lightly of it; the public would be inquiring why the Government had not dealt with the redundant list of general officers, with the large half-pay list, and with the sinecure colonelcies. The other evening the Secretary for War passed a high eulogium on the disinterestedness of officers: he was so impressed by the greatness of the subject that he could only express his sentiments by having recourse to poetry; but the quotation he made, though somewhat high-flown, was so pertinent to the subject of sinecure colonelcies and other highly paid offices that he desired permission to repeat it—

"They are not covetous for gold. . . .
Such outward things dwell not in their desires;
But if it be a sin to covet honour
They are the most offending souls alive."

Had this passage not been used by the Secretary for War, whom he could not suspect of irony, he should have thought it was not free from a touch of sarcasm; but, as it was, he was left to wonder why the Secretary for War had omitted to put some of the honorary colonels and other highly paid officers under his control to the test. The question at issue was what should be substituted for purchase. The evils of promotion by seniority had been largely dwelt upon by the Secretary for War before announcing his preference for promotion by selection. Was it not almost certain that, under the system proposed by the Secretary of State—selection in the hands of the Horse Guards' Staff, in a very short time merit and private interest would become convertible terms, and that they would very soon have very great developments of merit in quarters where hitherto it had been quite unexpected? Why, selection by merit, as it was called, had been the basis of those very sinecure colonelcies of which his hon. Friend (Mr. Trevelyan) had spoken. It was under selection by merit that the present Commander-in-Chief was appointed in 1856 at £4,500 a-year; and, as if that honour and gold were not enough, in 1861 the Commander-in-Chief became colonel of the Guards, for which he received an additional £2,200 a-year. Again, the present Military Secretary was appointed either in 1859 or 1860 at somewhere about £2,200 a-year; and, as if that honour and gold were not enough, in 1863 he became colonel of the 81st Regiment with an additional £1,000 a-year. These were the things which selection by merit had given them under the present Horse Guards. He might be told that these sinecure colonelcies were intended as rewards for long and distinguished service. Well, they found that the Prince of Wales, for long and distinguished service no doubt, became colonel of the 10th Hussars, receiving for that £1,350 a-year, being both honour and gold. He believed that officers of the Army were not much afraid of the abolition of purchase, but were much afraid of what would happen to them under selection by merit in the hands of the Commander - in - Chief at the Horse Guards, and still more in the hands of the Military Secretary. He could not ignore the circumstance that the present Commander-in-Chief was a Royal Duke, and that many hon. Members might consider it very profane indeed to criticize the acts of so great a personage; but he (Mr. Anderson) referred to the Commander-in-Chief not as a Royal Duke, but as a public officer, and considered his rank should neither exempt him from criticism, nor on the other hand cause that criticism to be unfair. But there were other objections to the Staff of the Horse Guards quite irrespective of the present *personnel.* The present Staff had never worked well. There had always been a jealousy and a jarring amounting to a contest between the Crown and Parliament for the control of the Army. That contest culminated in the Order of November, 1861, "given at our Royal Court of Balmoral," in which the Crown attempted to wrest from the Secretary of

State for War a large part of his powers. Very fortunately that Order was disregarded; but, nevertheless, they had had a sort of dual government in the Army ever since. And although the right hon. Gentleman (Mr. Cardwell) had told them that there was an end of that dual government, and that he was himself the real head of the Army, circumstances cropped up every now and then which showed that, even if dual government was at an end, a great deal of the old jealousy still existed. It was evident that the Army did not acknowledge the right hon. Gentleman as its real head, and that the Horse Guards did not attempt to put down that insubordination. A glaring instance of that occurred the other day, when a distinguished officer made a speech, at Manchester, denouncing the reductions in the Army that had been decided upon by his chief. If that gallant officer had acknowledged the Secretary of State as his chief he would no more have made that speech than he would have allowed any of his own men to stand up at a public meeting and denounce his acts; and if the Horse Guards had looked upon that speech with such disapproval as it ought to have done it would have called that officer to account. The simple remedy for the evil was to discontinue the office of Commander-in-Chief, and to have the duties performed by Military Under Secretaries of State for War, or Military Lords, as they might please to call them—thus assimilating the discharge of the duties of the Horse Guards to those discharged by the Admiralty. It was long since they abolished the office of Lord High Admiral, and he saw no necessity for perpetuating the office of Commander-in-Chief. He would recommend hon. Gentlemen to turn to the Estimates and compare the Votes for the Horse Guards with those for the Admiralty. The First Lord of the Admiralty had £4,500 a year, the First Naval Lord £1,500, and the Secretary £2,000, as compared with £5,000 paid to the Secretary for War, and £4,500 paid to the Military First Lord. But what was the reason for the great difference of scale in the remuneration of the two services? The Navy was their senior — their old, cherished, national service — yet the Army was in every way petted and pampered in the highly-paid offices. Whatever the reason for it was, it could not be that the system of command in the Army was better than in the Navy, because in the Navy if the Senior Naval Lord happened to be ill or absent matters went on quite smoothly, whereas in the Army, as they found from Lord Northbook's Report, there was no arrangement whatever by which the duties of the Commander-in-Chief could be performed if he were ill or absent. The Military Secretary up to last year received about £2,230 per annum, and the sum was reduced last year to £1,500. At the same time, the salary of the Commander-in-Chief was reduced from £4,440 to £4,000. But those small reductions were actually to be replaced on the Estimates for this year; the pay of the Commander-in-Chief was again raised, and that of the Military Secretary went up again to £2,000 a year. The best course that could be adopted was to discontinue both those offices. The Government had been contented to apply the five years' rule to the Military Secretary, whom they agreed to make a Jonah, in order that by throwing him overboard they might preserve the larger abuse. But military reformers asked for more than this. They demanded that the whole military system should be put upon a sounder basis; that the responsibility should be better defined; that the Horse Guards should be more efficiently administered; that the Secretary for War should have more complete control over military affairs; and that the other offices should be held by Military Lords or by Military Secretaries. He had great pleasure in seconding the Resolution.

Motion made, and Question proposed,

"That, in the opinion of this House, no scheme for Military reorganization can be regarded as complete which does not alter the tenure of the Command in Chief in such a manner as to enable the Secretary of State for War to avail himself freely of the best administrative talent and the most recent military experience from time to time existing in the British Army."—(*Mr. Trevelyan.*)

Captain VIVIAN said, he had listened with great pleasure to the speech of the hon. Member for the Border Burghs (Mr. Trevelyan), although he differed in opinion from him on much that he had said to the House; and all who had heard him to-night must admit that he had treated a subject of great delicacy and difficulty with admirable tact and ability. He must, however, confess that he was much disappointed to find that the hon. Member had thought it necessary to proceed with his Motion. He had hoped that after the speech which his right hon. Friend the Secretary of State for War made on Thursday night, his hon. Friend would have withdrawn his Notice. He was glad to hear his hon. Friend say tonight that he had entirely abandoned the view he had hitherto entertained, that there was a duality of government in military affairs. He (Captain Vivian) contended that there was no longer any dual government between the War Office and the Horse Guards. In referring to this point, his hon. Friend said he complained not of what the right hon. Gentleman had not done, but of what he had done. Before leaving this part of the subject he wished to correct an error into which his hon. Friend had fallen with respect to the steps that the Secretary for War had taken. The right hon. Gentleman (Mr. Cardwell), when he came into Office, found that the power of the Secretary of State was limited to a certain extent by a Memorandum which had been drawn up in the time of Sir George Lewis, and which had been signed by Her Majesty. By that Memorandum certain restrictions upon the power of the Secretary of State were imposed; the substance of which was that the Secretary of State was not to interfere with the military control or with the patronage of the Army. When the right hon. Gentleman came into Office he appointed a Committee to inquire into the administration of the War Department and the Horse Guards—and he should be doing an injustice to the Commander-in-Chief if he did not say that in that inquiry every facility had been given by His Royal Highness to Lord Northbrook, who presided over the Committee. Her Majesty then issued an Order in Council which defined the duties of the Commander-in-Chief as well as those of two new officers—the Surveyor General and the Financial Secretary for War. In addition to that, his right hon. Friend put a stop to all correspondence by letter between the Departments, and established a central registry for both Departments, to the effect that all correspondence should be carried on by Minute between the Secretary of State and the Commander-in-Chief. That change had effected a great economy both of time and labour. There was but one more step wanting to complete the union of the two Departments which had not yet been taken, and that was that both Departments should be under the same roof; and that was owing to the fact that there was not sufficient room in the War Office for the accommodation of the whole Office of the Horse Guards. By reason of the reductions that had been effected in the War Department, sufficient room had been now found, and both Offices would soon be under the same roof; so that everything that was needed to put an end to the dual government had now been done. But why, under these circumstances, did the hon. Member (Mr. Trevelyan) press his Motion? It was because he desired that the high officers should be subjected to the ordinary Staff regulation of five years' appointments. He (Captain Vivian) would, therefore, proceed to state some of the objections that had occurred to him against subjecting officers holding such high and important posts in the Army to the five years' tenure. In the first place, let them see how that rule would apply in the case of a most eminent individual holding such an appointment. They all knew how jealously and suspiciously both the House and the country regarded renewals of these appointments. But the Secretary for War and other Ministers had greater opportunities of judging of the fitness of an individual for a particular post than the public had; and, therefore, in the case of a man eminently fitted to discharge the duties of the post, they might possibly desire to retain him; but under the five years' rule they would be afraid to renew the appointment, lest the country should regard such re-appintment as a job. Then, how would the rule apply in the case of a man not quite so capable? Suppose there was a Commander-in-Chief who had done his duty without complaint, but there was another officer still better qualified; the Government would be afraid to dismiss the former before the expiration of his term, lest it should be said they were casting a slur upon his character. How did his right hon. Friend propose to meet that difficulty? He proposed that the continuance in office of the Commander-in-Chief and his removal should depend upon considerations of public policy. The hon. Member thought it was proposed to continue the Commander-in-Chief in perpetuity; but, so far from that being the case, no Minister would dare to retain a person in so high a post if he were unfit to hold the place. The hon. Member said that if this proposal were adopted effete men would be retained in office, and by way of an illustration—which was much to be regretted—he had referred to the case of the Duke of Wellington. On this subject all he (Captain Vivian) would say was that the Duke of Wellington's career and character lived in the remembrance of a grateful country, and would continue to do so as long as England existed as a nation. The hon. Member had referred to the case of foreign countries. He himself (Captain Vivian) would refer to the case of Prussia. Had the question of age arisen in that country, such a man as Moltke might have been removed because he was upwards of 70. Again, in the case of Austria, Radetzky, when he fought his last campaign, was nearer 80 than 70. The question of age was not the consideration; what a Minister was bound to consider was, who was the most fit and efficient man for the office. Whoever he might be, as long as he performed his duty well, the longer he held his appointment, whether for five, ten, or twenty years, so much the better for the country which had the advantage of his services. If a Minister retained a man in office after he had ceased to be efficient, he would deserve to be impeached. The hon. Member (Mr. Trevelyan) did not charge the present Commander-in-Chief with being inefficient, but simply desired that the duration of his appointment should be limited to five years. Now he (Captain Vivian) took issue with his hon. Friend upon that point. The hon. Gentleman had referred to the question of selection, and stated that hereafter the duty of selection would be left to the Commander-in-Chief, who had stated that it would be impossible for him to exercise that duty. No one who had considered the question of selection in the Army could fail to admit that it was beset with the greatest possible difficulty. It was not at all surprising that everyone should say—"I cannot possibly see how you purpose to select your officers." But he would remind the hon. Gentleman (Mr. Trevelyan) that though the Commander-in-Chief gave the evidence which had been quoted, he also said in the House of Lords that if the Government decided upon adopting a principle of selection for the future, he should do his best to carry it out well and conscientiously. When the language of the Commander-in-Chief before the Committee was quoted, his speech in the House of Lords ought not to be forgotten. It was no part of his (Captain Vivian's) duty, nor would it become him, to say anything in regard to the merits of the present Commander-in-Chief; but he might say that having been selected on several occasions, in the course of the many years he had had a seat in the House, to serve on Committees of Inquiry into military questions—some of them very complicated and difficult ones—he had heard the Duke of Cambridge examined and cross-examined, but on no single occasion had he found His Royal Highness ignorant on any question put before him. He had come to the conclusion that so far as knowledge of the intricate details of our military administration was concerned, no man in England knew more than our present Commander-in-Chief, and he very much doubted whether there was any man who knew as much. He was not going to follow his hon. Friend through all the details of the Estimates; but he wished to refer to an error that he had made in instituting a comparison between the French and the English Estimates. Such a comparison was impossible, because a great many things—shakos, tunics, guns and barrack furniture—were entirely excluded from the French, but included in the English Estimates. Therefore, when his hon. Friend said the annual cost of a French soldier was £37 as compared with £80 for an English soldier, he was incorrect in both cases. A calculation had recently been made by the Government as to what the English soldier did really cost in pay, clothing, and beer money, and this showed that as nearly as possible each man cost £34 a year. Perhaps he might be permitted to say a word on the subject of agents, as his hon. Friend had referred to it, because it was to some extent his (Captain Vivian's) fault that the question was not nearer settlement. It was nearly a year ago since he was asked to report on the subject to the Chief Secretary for War in conjunction with the Accountant-General; and, though the Report was now complete, it had not, from pressure of business, been presented. He must, however, say that his hon. Friend did the agents but scant justice in his very terse explanation of what they did for the Army. While he admitted that it would be possible to pay the officers through other means, he must say, as the result of experience, that it was impossible to exaggerate the advantages which English officers derived from the services of agents. As far as the mere handing over of pay was concerned, that could easily be accomplished without the intervention of agents; but it must be remembered that agents transacted every conceivable kind of business for the officers employing them, and if agencies were abolished to-morrow the extra expense thrown upon officers would be so great that the nation would inevitably have to increase their pay. As his hon. Friend was not accurately informed in regard to the cases of Chelsea and Kilmainham Hospitals, and had been very facetious in comparing them with Greenwich Hospital, he would briefly state the facts to the House. Greenwich Hospital was capable of holding 1,500 or 1,800 men, the total number of naval pensioners being about 14,000, and, as a consequence, there were in the Hospital a large number of young men who infinitely preferred going to their homes with an increased pension to remaining in the Hospital. The Government was able to meet the views of these men, because Greenwich Hospital was the richest endowed charity in England, and had large funds to fall back upon in order to give increased pensions. But the case of the other hospitals mentioned was entirely different. Both Hospitals were very small; Chelsea would accommodate 500 or thereabouts, and Kilmainham about 130; while the whole number of Army pensioners was over 60,000, and the men admitted to the two Hospitals were the oldest and most feeble—not to be compared for a moment with the occupants of Greenwich. He had visited the Hospitals of Chelsea and Kilmainham, and found that while in the former there were a few men who would have preferred to go out with an increased pension, the occupants of Kilmainham were unanimous in saying that no amount of added pension could compensate them for the comforts they found in the Hospital. Let his hon. Friend consider what this question of increasing pensions would involve. If an additional 6*d*. per day were given to men as a premium to induce them to leave the Hospitals, the men receiving the same rate of pension who had not been in the Hospital would demand a similar amount as a reward for remaining out of it. He was glad to find that his hon. Friend approved the mode in which the Government proposed that the House should assent to the abolition of purchase. There could be no doubt there were but two ways of dealing with it. It was quite true that three years ago he submitted a scheme which was a modification of that now proposed by his right hon. Friend, and he believed that by the adoption of that plan at that time the question would have been settled; but he must frankly admit that when the purchase system again came under the consideration of the Government he saw no middle course between leaving it alone and abolishing it altogether. The plan of the Government was based upon the principle of doing ample justice to the officers, and he believed it would meet with the general approval of Parliament. His hon. Friend had been kind enough to express approval of the military reforms proposed by his right hon. Friend the Secretary of State for War, and, reminding him that Rome was not built in one day, he would ask his hon. Friend not to press his Motion to a Division. His hon. Friend had mentioned that there were circumstances with regard to the rewards to colonels in the Army which would have to be carefully weighed when the House came to consider the systems of promotion and retirement. In reference to this question, he could only say that it would be met and carefully grappled with by his right hon. Friend when the proper time arrived. In conclusion he would remark on the general subject-matter under discussion that he hoped his hon. Friend would be content with the success he had met with, and, taking hope for the future in what had occurred in the past, refrain from pressing his Motion to a Division.

LORD EUSTACE CECIL said, the hon. Gentleman (Mr. Trevelyan) in his speech that evening had boxed the whole compass of military grievances. He had dealt with 17 or 18 subjects, including the Duke of Cambridge, purchase, selection, flogging, promotion from the ranks, bad characters, the Estimates, the Militia, the War Office, the defenceless state of the country, Army agents, Chelsea and Kilmainham Hospitals, men's pensions, the Horse Guards' Office, the Horse Guards' Secretary, and the rewards to colonels and retired generals. It would, perhaps, have been better if the hon. Gentleman had treated the House to only one or two of the items of that enormous list, because it would be impossible in one, or even in a dozen evenings, to do proper justice to them all. The hon. Member spoke at very great length in reference to the Duke of Cambridge. It was not his (Lord Eustace Cecil's) province to say anything in defence of His Royal Highness; but he must observe that the hon. Gentleman only expressed his own opinions and those of hon. Members sitting near him, and said no single word about the general feeling of the Army in reference to the Commander-in-Chief; but if the officers of the Army were polled, they would say, by an immense majority, that the Duke of Cambridge was the best man that could be found for the office of Commander-in-Chief. Until a more efficient man was discovered, looking to the duties of promotion by selection—an office which, as Lord Grey stated, required superhuman powers—he thought the hon. Gentleman had better cease to say anything about the merits or demerits of the present holder of the office of Commander-in-Chief. But the hon. Gentleman did not content himself with speaking of the Duke of Cambridge; he spoke of the difficulty, as stated by the Duke before a Commission, of selecting officers. Now, he (Lord Eustace Cecil) knew that on one or two occasions His Royal Highness had declined to select particular men, and had refused to appoint them. An officer in his own regiment—he would not mention his name, which had since appeared in the public papers—was reported by his general as not being fit to command his battalion; the Duke of Cambridge entirely endorsed that report, and the result was the officer was told he must retire on half-pay; and immediately he brought an action against the general who so reported him. That was one of the many difficulties they would have to deal with when they came to consider the difficulty of selection on the reports of officers. The hon. Gentleman went on to speak about the Prussian Army, where selection was said to be the rule. Now, he (Lord Eustace Cecil) understood that in the Prussian Army seniority was the rule. There were very few cases of selection indeed; and in one or two branches of the Prussian Army no selection whatever was allowed. One of the schemes of the Government—should promotion by selection be agreed to—was that there should be competitive examinations. In the Prussian Army competition was almost unknown; officers were admitted on nomination by the Executive, and on approval of the officers of the regiment which they wished to join. With reference to the Army agents, the hon. Gentleman must be aware that in 1851 a Committee of that House had reported against their abolition. There could be no doubt that they were of great use. Bills were drawn very frequently at sight, and it would be impracticable for the Secretary at War to meet them; but the Army agents paid them over the counter. There would be no material saving by their abolition; indeed, the abolition of Army agents would be attended with an increase of expense to the amount of at least £9,000 a year. The hon. Member had made a remark about the great number of officers in the British Army in proportion to the number of men. Now, he had taken some trouble to compare the number of officers in the English Army and in the Prusssian Army with the number of men they command, and he found that in the Prussian Army there was one officer to 23 men, while in the English Army, according to the Estimates of this year, there was one officer to 22·1 men. In the Italian Army the proportion of officers was one officer to 16 men; and in the United States Army, which was supposed to be very economically managed, and always ready for service at the shortest notice, there was one officer to 15 men. These were facts, and if the hon. Member wished to have his authority for them, he would refer him to the *Statesman's Year Book* for 1871. The hon. Member had spoken with perfect reason of the large number of officers—one officer to something like 16 men—in the Life Guards, and in the cavalry generally, where it was one officer to 20 men. But when they took the whole service generally, and divided the whole number of men by the number of officers, he held that the English Army stood remarkably well as compared with continental armies. The hon. Gentleman went on to speak of retired generals and sinecure colonels; but he (Lord Eustace Cecil) thought he might have spared himself the trouble of running down veteran officers who, having served their country at the expense both of purse and health, received a retiring pension of something like the magnificent sum of £400 a year. He could not agree with the hon. Member in calling colonels in command of regiments pensioners. Such appointments were not pensions, but rewards—and very small rewards compared with those offered by the Church, diplomacy, and law, after 30 or 40 years' service. It was not for him to go into details about the Horse Guards' Secretary, and other matters. Something, no doubt, might be done. There might be a better system of pensions and retirement; there might also be a certain amount of retrenchment in other items of the Estimates; but, on the whole, when they compared the difference of wages and prices of articles of all sorts in this country with those abroad, he did not think our Estimates compared unfavourably with those of other countries. At the same time, he thought it quite possible there might be fair ground of complaint arising from the extra £2,000,000 or £3,000,000 now added to the Estimates, and the comparatively small return we had for them. He would not now go into the very intricate questions of purchase and promotion, which would require immense consideration before a proper determination could be arrived at. He hoped the hon. Gentleman would withdraw his Motion.

VISCOUNT BURY said, he was anxious not to give a silent vote on this occasion, because, although he would yield to no one in his claims to be considered an Army reformer, he could not flatter himself that he belonged to the number of those whom the hon. Member for the Border Burghs (Mr. Trevelyan) had classed under his plural "we." The question was, whether they should vote for the Resolution which had been placed on the Paper. That Resolution appeared to resolve itself into two parts, which were totally incompatible with each other. One was a Resolution—which the hon. Member had a perfect right to bring forward if he chose, and to which he had devoted the greater part of his speech—that it was desirable to alter the tenure of the office of Commander-in-Chief—a proposition to which he (Viscount Bury) hoped the House would give a distinct negative. The next appeared to be a Resolution of a totally abstract nature, affirming that certain circumstances he detailed called for the immediate removal of obsolete and antiquated sources of military expenditure. He (Viscount Bury) quite agreed that if any such could be shown to exist they ought to be removed, and he was quite ready to vote for their removal. He thought it was hardly dealing fairly by the House to tack to such an important Motion as one dealing with the tenure of the office of Commander-in-Chief an abstract declaration with respect to another matter. It would be scarcely possible, if they devoted not only the present evening, but three or four succeeding evenings to the discussion, to deal with all the various topics touched on and mixed up together in a most extraordinary way by the hon. Member for the Border Burghs. The hon. Member had evidently some grudge—he would not say a personal grudge—but a grudge against the office of the Commander-in-Chief in respect to the mode of conducting the business, and he mixed up together the system of promotion from the ranks, the removal of bad characters from the Army, the enormous military expenditure, and a variety of other subjects, and making the Commander-in-Chief, of all persons, responsible for everything, he called upon the House to vote for an alteration of the tenure of the Commander-in-Chief's office. The hon. Member's speech put him in mind of the lines—

"Who makes the quartern loaf and Luddites rise?
Who fills the butchers' shops with large blue flies?"

In like manner the hon. Member put the question, who was responsible for the various matters he had adverted to? and replied that it was the Commander-in-Chief, and, therefore, he said, the office should be abolished. One reason given for the proposed abolition was because, as the hon. Gentleman stated, His Royal Highness had expressed himself adverse to the principle of selection in respect to promotion—a principle which must be resorted to on the abolition of the purchase system, and must be conducted by the officer commanding the Army for the time being. He was not going to prejudge the plan on which they would shortly have to decide; but the hon. Gentleman was so enamoured of his own scheme that he had prejudged the question, having quite taken it for granted that the alteration would take place, that selection would follow, and that His Royal Highness must be removed. He argued in a vicious circle. Undoubtedly the proposals for Army organization proceeded from one of the most powerful Ministries which had existed of late years, and though they probably would be carried substantially, yet no one knew what form they would assume before the Bill passed through the mill of a Committee of the Whole House. No doubt, many hon. Members would support the proposals of the hon. Member; but no one could say how far either the original proposals of the Government or those of the hon. Member might be modified by subsequent experience and debate. Therefore, when the hon. Member stated that the principle of selection could not, in the opinion of the Commander-in-Chief, be carried out in its entirety, it was quite obvious that the hon. Member thought that the Commander-in-Chief was unwilling to carry out many of the details proposed by the Secretary of State. That was not fair to the Commander-in-Chief. In the course of his remarks, the hon. Member said that he thought the office held by the Commander-in-Chief ought to be held for five years only, and he went through a list of the officers who had held the post in order to prove that, under the present system, only Royal Dukes or "officers of classical reputation" could be appointed. He (Viscount Bury) had been somewhat puzzled to conceive what was meant by the phrase, "officers of classical reputation"—more especially as the hon. Gentleman immediately afterwards said that if his system were adopted they would have the selection for the office the ablest officers of the Army. If that were so they would be officers of "classical reputation." He (Viscount Bury) failed to discover what distinction the hon. Gentleman could draw between his description of two of the ablest men in the Army—Lord Hardinge, whom he did praise, and the Duke of Wellington, whom he did not praise. The hon. Member likewise observed that the Duke of Wellington retained the office until he became so rooted and grounded in his prejudices as to refuse to move forward. In illustration of that statement—and he thought a very unhappy illustration—the hon. Member gave as an instance a dispute between Lord Grey and the Duke of Wellington, respecting the abolition of corporal punishment, the result of which was in favour of the Secretary of State and not of the Duke of Wellington; so that the illustration proved that, instead of the Commander-in-Chief overriding the Secretary of State, the Commander-in-Chief showed himself subordinate to the Secretary of State. Was it not the case, too, that His Royal Highness the present Commander-in-Chief considered himself subordinate to the Secretary of State? His Royal Highness had taken every public opportunity to declare that he was directly subordinate to the Secretary of War. It could not, then, be on the ground of want of subordination that certain Army reformers wished to get rid of the present holder of the office of Commander-in-Chief. Was his removal desired on account of any alleged incapacity? Why, it was well known—as had been stated that evening by the Financial Secretary for War (Captain Vivian)—that the Commander-in-Chief, on every occasion when he had given his evidence before a Committee or a military Commission, or made a public speech on military matters, had shown himself most minutely acquainted with all the details of Army organization, and proved that he knew more about them than any other officer in the Army. But it was said that His Royal Highness was unwilling to march with the times, and that he was as much rooted and grounded in prejudices as the late Duke of Wellington. Why, only a short time ago, when His Royal Highness was addressing a public meeting, he expressed his astonishment that he should have been so freely designated as a person desirous of remaining in the old, antiquated grooves, and disinclined to go forward with the times, and His Royal Highness declared that he rather wished to head military officers in the path of progress than to drag them back. Indeed, during the time His Royal Highness had held his present office, everyone must have seen that he had always acted up to that profession. The difficulty of regulating promotion by selection, if purchase should be abolished, whether the system were carried out by His Royal Highness or any other officer, must be great, and he did not believe that any officer would be able to stand for six months the odium which he would incur by conducting the system of selection. Indeed, he believed the system to be a vicious one, for this reason—that the Commander-in-Chief could not possibly select in every case from his own personal knowledge, and, therefore, the man most likely to get on under that system would be the man who had the best means for making his claims known. The House was told that that would be regulated by public opinion—that was to say, any officer who felt himself aggrieved or passed over would find no difficulty in getting his case brought before the House. Therefore, there would be a perpetual state of antagonism, more or less distinctly declared, between unofficial opinion in that House and officers at the head of the Army. That he regarded as one of the greatest difficulties with which they would have to deal when the principle of selection came into play. The hon. Member said in effect that an officer, remaining for years at the head of affairs of the Army, and being practically irremovable, acquired such an intimate knowledge of the details of the Army and of Army organization, that the Secretary of State could not cope with him. Now, if that argument meant anything it meant this—that because the Secretary of State was ignorant, therefore they were to select an officer who should be more ignorant than the Secretary of State. The hon. Gentleman's argument was that a civilian Secretary of State could not have the knowledge of Army affairs which was possessed by an officer who had been long at the head of the Army, and that, because the Secretary of State could not enforce due subordination on the part of the Commander-in-Chief, they must abolish the Commander-in-Chief altogether, and appoint an adjutant-general. The Secretary of State must surely say —"Defend me from my friends" when the hon. Member, in the interest of the Secretary of State, advocated that his ignorance should be protected by the abolition of an officer who knew more than he did. He would not deal with the latter half of the hon. Gentleman's Resolution. He had dealt with that question, which was the practical issue—whether the tenure of the Commander-in-Chief should be abolished. On that question he was entirely against the hon. Gentleman. On obsolete and antiquated items of military expenditure, that was not the time to express any opinion. The Financial Secretary of the War Department had told them that many things had been maturely deliberated by Her Majesty's Government, and that in due season they would be brought under the consideration of the House. When they were brought forward, he (Viscount Bury) would be ready to discuss them; but he would not be dragged, if he could help it, into the consideration of a series of abstract questions which had nothing to do with the practical question before them, and which ought not to be placed in the same category. He could not help thinking, while he listened to the hon. Member and his Seconder, that this was a Resolution on which the hon. Gentleman did not intend to divide, but that he meant it to be regarded as a general programme or syllabus of Army reform which he intended in the course of the Session to submit in detail to the House. Be that as it might, he (Viscount Bury) thought the House ought not to be led away by it, and that they should confine their attention that night to the distinct issue which the hon. Gentleman had brought before them—whether the tenure of the Commander-in-Chief ought to be altered.

COLONEL NORTH said, the misfortune of introducing and discussing such questions as this was that they became party questions, which they ought never to be made, for our Army was not a political institution, and he believed that there was no political party outside the House, and he was quite sure there was no political section in the House, who were not equally alive to the honour and the efficiency of our Army. He was happy to say that it had not hitherto been treated as a political and party question; but he could only say it would not be the fault of the hon. Member for the Border Burghs (Mr. Trevelyan) if it did not hereafter become one of the bitterest party feeling. Instead of going about the country delivering speeches and exciting the public mind, it would have been far better if the hon. Member had waited and calmly brought it forward, and had it fairly discussed in that House. All would agree that a question of this importance ought to be discussed with the greatest calmness and the greatest fairness, and when the hon. Gentleman found it necessary to refer to evidence which had been taken before Royal Commissions, and before Committees of the House, the real and true sense of that evidence ought to have been given without collecting three or four sentences to suit a particular purpose. He was very much surprised on reading a good deal of what the hon. Gentleman stated in his speeches at Edinburgh, Brighton, and Birmingham. As they had been revised, corrected, printed, and distributed to his friends by himself, and the public could buy them, the House had a right to hold the hon. Gentleman responsible for all that he had stated in those speeches. At the beginning the hon. Gentleman made an attack upon Army agents. He said—

> "The Army agents alone received £40,000 a year from the public, not one halfpenny of which should be paid after the first of April next."

The hon. Gentleman said—

> "It was a painful thing to think that that job should have lasted through the second year of a householders' Parliament, led by a Liberal Government."

But the hon. Gentleman had forgotten that he was himself not only a Member of that householders' Parliament, but a Member of that very Government; and that it was not until he had ceased to be a Member of that Government that he had attempted anything towards getting rid of what he thought so very objectionable. The hon. Gentleman served upon a Committee which sat three or four months. Their recommendations, he (Colonel North) believed, were approved by officers both of the Engineers and the Artillery; but nothing was done to carry them out, because they were so expensive. With regard to the question of selection, that His Royal Highness was not singular in his opinion could be proved from the reasons given by three Members of the Royal Commission, one of whom was Mr. Edward Ellice, who had been Secretary at War, for not agreeing with the Report of the other Members. Lord Grey was also of the same opinion. So far from the Duke of Cambridge refusing to select, as stated by Mr. Trevelyan, His Royal Highness, referring to the opinions laid before the Commission, said, in a speech in the House of Lords on the Mutiny Bill, that, as far as he was personally concerned, it would be his earnest and anxious endeavour, difficult as it might be, and as he must consider it himself, to carry out whatever decisions might be come to in such a manner as to promote the best interests of the Army, and, if of the Army, the best interests of the country also. His Royal Highness asked what were to be the standards of merit; and they all recollected the speech of Lord Palmerston on the same subject. Lord Palmerston asked—"What is merit?" And he went on to say that merit was only the opinion which one man formed of another, and that it would be an Utopian idea to hope that under any system individuals could be selected for merit alone. But not only was Lord Palmerston, but General Peel, Lord Herbert of Lea, Sir George Lewis, Mr. E. Ellice, Lord Grey, Lord Raglan, and Sir Charles Yorke were all against selection. So eager, however, was the hon. Gentleman (Mr. Trevelyan) to get rid of His Royal Highness that he was not satisfied with removing him from the Horse Guards without removing him from the Army. ["No, no!"] In his speech at Liverpool, on the 6th of January, the hon. Gentleman said—"When they had abolished the purchase system, how would they keep it from reviving? It would immediately revive if they kept the Duke of Cambridge in the Army." [Mr. TREVELYAN: I meant the Horse Guards, not the Army.] It was not in the power of the Secretary of State to transfer an officer of the Line to the Militia, and he hoped under the new system neither Secretary of State nor Commander-in-Chief would be able to move an officer who might be senior of his rank in the regular Army to similar rank in the Militia. We could never require to use officers of the Army to officer the Militia. There were plenty of officers on half-pay who would be content to serve, provided their interests were properly considered. The hon. Gentleman had also referred to General Forster, the Military Secretary, and stated the evidence of Sir Edward Lugard relative to the duties that officer was called upon to perform; but his remarks by no means conveyed the true evidence given by that gallant officer. The Military Secretary was, in truth, a most important officer, whose duty it was to lay before His Royal Highness the Commander-in-Chief statements as to different officers who stood on the list for promotion, it remaining for His Royal Highness to select those officers with the approval of the Secretary of State. He could not also help thinking that the cause which the hon. Gentleman had espoused required a good deal of bolstering up when he found it necessary to select whatever was useful to his own arguments, and put aside the rest. The hon. Gentleman was bound to give a fair and just summary of any evidence he thought to bear upon the subject, and not take merely as much as served his purpose; and when he attempted to cry up the Artillery and Engineers to the detriment of the rest of the Army he must tell the hon. Gentleman that if he thought it would be grateful to one branch of the service to be praised at the expense of another, he was labouring under a great mistake. The hon. Gentleman, too, had spoken in a most improper manner of His Royal Highness the Commander-in-Chief — ["No, no!"] — in a speech which he had made in 1869, and, recollecting the apology which he had to make in consequence of that speech, he was surprised that he should venture to repeat such statements again.

MR. O'REILLY said, that while he agreed with his hon. Friend who had raised the present discussion (Mr. Trevelyan) that there were many sources of expenditure connected with the Army which were antiquated and useless, he did not think there was sufficient ground for recording on the Votes of the House such a general sweeping declaration with respect to them as that which was contained in his Resolution. Of the payments to Army agents, he saw the final extinction "looming in the distance." The extra payments, too, in certain branches of our establishments, such as the Guards and Household Cavalry, would have an entirely new light thrown upon them when the system of purchase was abolished. He was prepared to admit at once—and he thought his right hon. Friend at the head of the War Office would admit—that if there was to be a separate rate of pay in different portions of the Army, it must be based either on the score of higher service, or on a more careful selection of the recipients. That, however, was a question which could not be considered abstractedly at the present moment. With regard to the third class of items, relating to the number of generals, sinecure colonelcies, and the whole of the half-pay list, it was essential, in his opinion, that his right hon. Friend should take them into his consideration hereafter. His (Mr. O'Reilly's) view was, that they must all be taken into account in connection with the scheme of retirement which must follow the abolition of the system of purchase. He now came to the more precise and definite part of his hon. Friend's Resolution—that which related to the tenure of office by the Commander-in-Chief, and the interpretation of which he must take to be that the five years' rule should be applied to the office of Commander-in-Chief, as well as to other posts in the Army. Now, he should state very briefly the reasons which led him to the conclusion that it was not desirable such a change should be made. The Secretary for War, in speaking the other night on the principle of promotion which should be adopted, said that one thing must be guarded against, and that was, that promotion should not be vested in the hands of a political chief—implying that the selection must be vested in the responsible head of the Army. That being so, would the affairs of the Army be best administered by such a head, removable every five years? There were, as far as he undertood the matter, two patent objections to such a state of things. In the first place, an officer thus removable would not have a sufficiently long time to make himself acquainted with the records of the Army on which his selections must be based; and, secondly, if the military head of the Army was to be chosen by its political head every five years, was there no danger that political reasons might influence his choice? Was it not better, therefore, that there should be such permanency in the office as should free its holder from the suspicion of having been appointed on political grounds? Would not a Liberal Secretary of State be inclined to replace from his own party a chief of the Army for one who had been appointed by a Conservative Secretary five years before? He (Mr. O'Reilly) thought it would be well if the Commander-in-Chief were compelled to retire at a fixed age—that would, he thought, be a far better remedy for the evil complained of than a compulsory retirement at the end of five years. As to the part of his hon. Friend's speech which was directed to the qualifications of the present Commander-in-Chief, he must say that, so far as he could see, he had made no observation which it was not perfectly competent to any Member of the House to make. But he must observe, without entering into any lengthened criticism of the high qualities which had been displayed in the office by His Royal Highness, that he believed he had given great satisfaction to the Army; and as to the allegation that he shirked the responsibility of the selection of officers, he would simply remark that he did not think he was the less qualified to discharge a difficult and honourable duty because he recognized its difficulties beforehand. His hon. Friend had gone on to observe that there was danger in abolishing the purchase system while we had at the head of the Army a Commander-in-Chief who had avowed that he held his high office in official ignorance of over-regulation prices, and who had stated that if it were abolished to-morrow a new system of purchase would be likely to spring up. Now, in making that statement, His Royal Highness spoke of a state of things which it was not proposed should continue to exist; while as to his official ignorance of over-regulation prices, his hon. Friend would seem to imagine that those prices had grown up under the administration of His Royal Highness, whereas he was in no sense of the word responsible for their existence; and if he was officially ignorant of them, so had been every Commander-in-Chief and Secretary of State who had preceded him in office. For the reasons which he had given he hoped his hon. Friend would not go to a Division; but if he should do so, he must, however reluctantly, vote against his Resolution.

Major DICKSON said, he wished to warn the House and the country against the danger of putting too great faith in the specious speech of the hon. Member for the Border Burghs (Mr. Trevelyan). Like many military reformers who had no practical knowledge, he had drawn many theoretical conclusions, advocating the abolition of systems of the working of which he had no experience, and the introduction of foreign systems

— entirely overlooking the difference in the character of English and foreign soldiers, as well as many minor matters which, to a civilian, appeared trivial and unimportant, but the importance of which was fully appreciated by soldiers. With a confidence which might easily impose upon civilians, the hon. Member had spoken in favour of abolishing two systems which had always worked well, and had never broken down—our regimental system and the Department of the Horse Guards. The Commander-in-Chief had always performed his duty to the satisfaction of the Army, and, as he believed, of the country generally. The hon. Member had not, however, made any distinct charge against the Horse Guards, though he had heaped up against it many vague charges, which were, in fact, the shortcomings of the War Office, and ought to lead him to advocate a reform of that Department, not of the Horse Guards. As a soldier he could not protest too strongly against any change which would impair the efficiency of the regimental system, or transfer the control of the Army from a high military officer to a political official or a Board of military officers. Were the Gentlemen who advocated such a change so enamoured of the Admiralty that they wished to see a similar organization to that of the Admiralty? At present the Army had confidence in the administration of military patronage; but if this patronage were once transferred to a political department, political jobbery and favouritism would creep into the administration, and would give rise to discontent and distrust throughout the Army. He contended that the system of selection would strike a fatal blow at that *esprit de corps* which had led to such happy results in the past, and he felt convinced that there could be no safe rule for promotion but seniority pure and simple. To that it was objected that it would lead to the appointment of incompetent men at the head of regiments and that a short time would witness the re-introduction of the purchase system in another form. He would, however, ask whether there was no possibility of framing penal regulations, and whether there was not a Government sufficiently strong to carry them out? Was it not possible to establish a system that if any officer was reported incompetent, and this should be clearly established on investigation, he should be called upon to resign? He agreed in the remark made by the hon. Member for Oxfordshire (Colonel North) that military matters ought not to be made the subject of political agitation; but there could be no doubt that for some months past certain Gentlemen had been going up and down the country keeping up a political agitation, and he would put it to the good sense of the House, and of military reformers out-of-doors, whether it was not dangerous to carry on an agitation which might ultimately reach the Army itself, and utterly destroy that cheerful confidence which now existed in all ranks of Her Majesty's Service.

MR. H. R. BRAND said, he did not agree with his hon. Friend the Member for the Border Burghs (Mr. Trevelyan) in his desire to limit the tenure of the officer Commanding-in-Chief. He believed that the removal of the Department from the Horse Guards to the War Office would give to the public that security that was desired, and would lead to increased economy. And it was his opinion that that economy was sorely needed in Pall Mall. He thought that the administration at the Horse Guards was anything but economical, for in addition to the figures enumerated by his hon. Friend who introduced the Motion, he might observe that whereas in 1853-4 the Estimate for the Horse Guards was £26,000, it had now increased to over £49,000. These figures would afford a convincing proof that the right hon. Gentleman the Secretary of State for War had little chance of effectually reducing the overburdened Estimates unless he commenced at the top. But he did not wish the present debate to anticipate the discussion on the Army Estimates. It was to be regretted that the debate partook somewhat of the nature of a personal attack upon His Royal Highness the Commander-in-Chief; but that was not the fault of the Mover of this Resolution, but rather the fault of the distinguished individual at present filling that office; for His Royal Highness had from time to time expressed himself adverse to the abolition of the purchase system, and had, before the Commission of 1857, over and over again declared himself unable to select officers for promotion. His Royal Highness prophesied, moreover, in the most solemn terms, that promotion by selection would resolve itself into promotion by seniority. If His Royal Highness had since changed his opinion, as they were told he lately had, so much the better for the service in which he was so deservedly loved and liked; but if he had not, he did not see how he could undertake those duties which it was proposed should be incidental to his office. He ventured, however, to submit that this was not a question whether this or that man should be appointed to the office of Commander-in-Chief, but whether it was to the advantage of the Army or the nation that the appointment to the office should be by selection, and should be periodically in the hands of the Secretary for War. He had in his hands a paragraph of the Report of a Select Committee which inquired into the relations which existed between the War Office and Horse Guards—a Committee over which the late Sir James Graham presided. With respect to the advisability of placing the patronage of the Army in the hands of a high military officer, the Committee thus reported—

> "The Army is thus enabled to feel assured that the patronage of the Army as regards first commissions, and the ordinary promotions and appointments, other than those which are self-regulated by purchase or seniority, will not be distributed with a view to political objects, or to the necessities of successive Governments."

But the case was stronger now, for the Government was about to give the officer Commanding-in-Chief new duties. He would have to select officers for promotion and for appointments, which would be no longer self-regulated by purchase or seniority. But, if the appointment of this high officer was to be placed every five years at the disposal of the Secretary of State for War, there would be some danger of running into the very danger which thiat House most wished to avoid. The appointment might be made for party purposes; at any rate you would never be able to eradicate from the minds of the officers of the Army the suspicion that the appointment might have been made for the purpose of serving the exigencies of party. Therefore, he contended that the office of the Commander-in-Chief should be a permanent appointment, but subject to the pleasure of the Queen and considerations affecting age. There was a great chance of effecting reductions in the Vote annually made for out-pensioners—a Vote which had attained its present proportions—upwards of £1,300,000—in consequence of our plan of enlisting men for such long periods of service that at their discharge they were utterly unfitted for all civilian occupation. A charge was also imposed upon the country for the prospective services of the pensioners, which, in many cases, were altogether worthless. The short-service system, however, when thoroughly worked, would do away with this source of expenditure. He was quite prepared to support the Motion for reduction when brought forward by the hon. Gentleman who had introduced this Motion; but the Motion itself he regarded as too vague in its terms. He hoped it would not be pressed to a Division.

Sir PATRICK O'BRIEN said, he thought this subject would have been better brought forward in connection with the larger question of Army organization. That, unfortunately, was no new subject in Europe. The sad results had just shown themselves of a system of *intendance* worked not for the good of the service or of the country, but of the *entourage* surrounding the late Ruler of the French people. The Germans pursued a directly opposite system, for though the Princes of the blood took their full share of the dangers of the field, they avoided in their higher military appointments all considerations of aristocratic favour or Court influence, and the results showed themselves in the successes they had won. The hon. and gallant Member for Dover (Major Dickson) had taunted civilian Members with talking about military matters which they did not understand, and seemed to regard civilian interference in these debates somewhat as he, when a boy at school, regarded the efforts of a German professor to learn the art of swimming when in bed; but still the hon. and gallant Gentleman, though thus opposed to civilian interference, admitted that the Secretary of State for War, who was a civilian, under the existing system exercised controlling authority over the Commander-in-Chief and all the military men in the service. In the Army he (Sir Patrick O'Brien) believed this control was but nominal; but in the Navy, where it really existed, and where its Chief did not enjoy a perpetuity of tenure, they saw the results in their present Navy, which, he believed, was efficient enough to maintain its supremacy against the fleets of Europe and of America. As to land forces, battles were no longer won with *gros bataillons*, but with improved ordnance and more skilful handling. A crisis had arrived in our Army organization, and he would ask hon. Gentlemen opposite could they candidly say that they believed the Field Marshal Commanding-in-Chief was the proper person at this moment to be at the head of the Army? ["Yes, yes!"] Hon. Gentlemen had favoured him with an affirmative answer. He thought they would hardly have done so if they had been acquainted with some facts he would now bring to their attention. In 1857, before the Indian Mutiny broke out, he (Sir Patrick O'Brien) ventured to call attention to the propriety of reviving two regiments of cavalry—the 5th Lancers and the 18th Hussars—whose names had long been omitted from the *Army List*. The Horse Guards insisted that this could not be done; but in three weeks' time it was done, nevertheless. Again, a Staff College had been created which was costing the country many thousands a year; yet not a man who passed through the Staff College was appointed from it, until he called attention to the subject in that House. How had the Horse Guards dealt with the regulation providing that no officer should hold a Staff appointment beyond five years? Why, it was disregarded by the Horse Guards. There were well-known cases of men who had been 18 and 22 years on the Staff. ["Oh, oh!"] Were not hon. Gentlemen familiar with the names of Gordon and Cunningham? How was all this done? and was His Royal Highness unaware of these facts? If so, he was unfit for his position; while if he did know of the circumstances he was setting the example of a breach of discipline. To say that the office of Commander-in-Chief was not a political appointment was to utter an absurdity. In former times a Royal Duke was at the head of the Army; and was the strong speech which was delivered by His Royal Highness the Duke of York against the Catholic claims forgotten — a speech so strong, and so partizan, that the Tory papers of that day said it ought to be printed in letters of gold? ["Oh!" *and* Question!"] This was the question; and if he were not heard inside the

House he would be heard outside the House. It was idle to say that a Peer of Parliament, taking his place in the other House, and expressing his opinions upon the questions of the day as they arose, had not political views of his own, and was a non-political officer. Now that a vast amount of patronage was about to be transferred to this distinguished personage, plenty of soothing speeches were delivered in that House, and those Members were laughed at who wished to state their honest opinions. Before introducing their plan for the reorganization of the Army the Government ought to have considered what would be their future policy were they to maintain only a system of insular defence? or were they to defend treaty obligations, and maintain the old tradition that we were to be prepared for every eventuality? It was very doubtful, in his opinion, whether the industry and wealth of the country would submit with a good grace to pay the increased taxes rendered necessary by the new Army Estimates. It seemed to him that too many persons in the present day—including some of those whom he was now addressing—were too like *Punch's* bumptious Englishman, who thought themselves the greatest and most influential people under the sun, until brought back to their senses when the Chancellor of the Exchequer stepped forward and said—"Mr. Giles, you will have to pay me 8*d*. in the pound income tax." Whatever might be said of the Irish people, they, at all events, often rose above considerations of material interest, and on a late memorable occasion would have given all they possessed to carry out an idea which was endeared to their country by old traditional associations. In conclusion, he said he could only support that portion of the Motion which related to the administration of the Army. [The hon. Member spoke amid much interruption.]

Mr. OSBORNE: Whatever epithet may be applied to the speech of my hon. Friend who had just preceded me in this debate (Sir Patrick O'Brien), I scarcely think it will be considered to be one of a soothing nature. Indeed, it occurs to me that the further we go into this debate, the more we are practising the figure the hon. Gentleman alluded to, and are endeavouring to learn to swim by swimming in bed. While listening to the arguments brought forward in support of this floating Motion, I have been very much tempted to ask what has become of that band of bounding brothers of whom the hon. Gentleman who has introduced the present Motion is a type. One after another I see them rising in their places and saying that they perfectly agree with the hon. Gentleman, but begging him not to go to a Division. One only has been true to the cause. Faithful among the faithless, my hon. Friend (Sir Patrick O'Brien), who had roved from New York to Vienna, and back again to the streets of Dublin, is the only one who said he would support the Motion; but he does not give any reason for supporting it, except that the 5th Lancers and the 18th Royal Dragoons were disbanded on account of the Horse Guards refusing to re-raise them. I must say that having entered the House late, and not being fully aware of what was coming on, I thought there was some mistake. I was under the impression, until I saw you, Mr. Speaker, in the Chair, that you ought not to have been sitting there, but that the Chairman of Committees should have been presiding, and that the discussion was on the Army Estimates. I have heard very little—indeed nothing—about the dual government, but I have heard a flaming attack made upon His Royal Highness the Duke of Cambridge for reasons which I can neither understand nor approve. My hon. and gallant Friend the Member for Oxfordshire (Colonel North), and the hon. and gallant Gentleman the Member for Dover (Major Dickson), have, I think, been rather hard upon, and have not made sufficient allowances for, the position of my hon. Friend the Member for the Border Burghs. He is a rising young man, of extraordinary ability, extraordinary energy, and extraordinary industry. He took up this question of Army Reform, the abrogation of purchase, and the abolition of the Horse Guards. While "starring" it in the provinces he made the same able speech he has delivered this evening. I am able to compliment him upon it, as I have read it on three previous occasions. ["No, no!"] My hon. Friend the Member for Stroud (Mr. Winterbotham), is not such a studier of the provincial papers as I am. I have even read his letters from abroad. If my hon. Friend will get the *Edinburgh Courant* for December last I think he will find that identical speech. He will also find it in the *Manchester Guardian*. I repeat that I have carefully studied the provincial papers, and seen all these charges going from Edinburgh to Manchester, from Manchester to Liverpool, and, finally, cropping up at Birmingham. I read his speech, too, at Nottingham; and I think, therefore, the hon. Gentleman has been hardly treated. Well, this industrious young man joins the Ministry. He found that the Secretary for War last year did not hold out any very great hope of reform in the Army; consequently, this industrious and able young man leaves the Government. This was very creditable to him; but it must naturally have been a great disappointment for him, after he had made this great sacrifice and "starred it" in the provinces, to find that his right hon. Friend the Secretary for War had, without any previous information, taken the wind out of his sails, by coming forward with a proposal to bring forward all these reforms to abrogate purchase and to destroy the dual government, besides promising a great many other reforms. What does the hon. Member for the Border Burghs want? It is very hard for him to find these questions settled by the Secretary for War. What is he to do? Just let me ask hon. Gentlemen one thing. While we are all gaping at and admiring this great scheme for the abolition of purchase — on which I shall have something to say when the proper time arrives—are we prepared for the enormous outlay that it will render necessary? The sum at present named is £8,000,000. Now, I do not want to prophesy, but if the House of Commons gets out of it under £12,000,000, and £500,000 by way of a retiring list, I am very much mistaken. I do not wish, however, to debate this subject on a Motion as to whether the Duke of Cambridge is to be turned out of the Horse Guards. We shall have time enough to take it up on another occasion. This has degenerated into nothing more than an Army Estimate debate. If I accuse my hon. Friend who initiated it of having made the same speech in four places before, assuredly I have heard the same speech from his Seconder, the hon. Member for Glasgow (Mr. Anderson); and certainly he had a much larger congregation to-night than he had on the occasion I allude to. I have been always particularly anxious to hear what falls from that hon. Gentleman, because he is essentially a representative man; and I congratulate him upon having made exactly the same speech he did when he attempted last year to cut down the Vote for the Secretary to the Commander-in-Chief. However, I want to come to the question. My hon. Friend the Member for the King's County (Sir Patrick O'Brien), like a gallant and eloquent Irishman as he is, has taken the bull by the horns. He asks—"Is there a man in the House who will say that His Royal Highness the Duke of Cambridge is the proper man to be Commander-in-Chief?" I am the man who says that. I believe a more honest and conscientious man, and a man better fitted for the post, never presided at the Horse Guards. My hon. Friend (Mr. Trevelyan) brings forward trumpery instances of his having proposed Motions in a thin House. I dare say His Royal Highness was never aware that these Motions were made. What I complain of is that the hon. Member now, as then, proposes Resolutions which only nibble at the question —he does not go to the root of it. He endeavours to raise a cloud around the Horse Guards; he talks of purchase, Army agents, flogging, marking with the letter D, and contagious diseases. He puts all these together, and he endeavours to saddle the Duke of Cambridge with this *olla podrida*. What has the Duke to do with it? I protest against making the Commander-in-Chief the object of all this abuse. The right hon. Gentleman the Secretary of State for War is the man who accepts all responsibility; if purchase has not been done away with before, it is not the Commander-in-Chief who is to blame—it is this House that is to blame for it; it is those new lights who have been made the victim of the petty larceny which has occurred, and whose pocket has been picked of their scheme. I heartily sympathize with the hon. Member, but as an old soldier who has seen something of the Army and its working, I say boldly that I believe there never was a man who was more conscientious in his appointments than the Royal Duke, and that he never condescended to a dirty thing or job. There is as much slavishness in abusing the Royal Duke as there may be courage in praising him. I have been very much struck with some of the instances the hon. Member for the Border Burghs has been perpetually giving the natives in the provinces, where they have always been received with enormous cheers. He cut that joke about Lord Hardinge at Birmingham. [Mr. TREVELYAN: I did not.] Then it was at Edinburgh. I suppose he could not have selected a more unfortunate instance than that of Lord Hardinge, who succeeded to the Horse Guards when it was known that the supply of artillery in this country was disgracefully deficient, and by the exertions of Lord Hardinge the country was put in a better state of defence than it had ever been in before. What I complain of is this—that the hon. Member has not spoken to this House as he has spoken to assemblies at Birmingham and elsewhere. [Mr. TREVELYAN made a gesture of denial.] No, he has not. The hon. Gentleman selects one man from among many, and he says—"You have got into a groove. Here is Sir Richard Airey who is perpetually employed." And why is he? Because, I suppose, he is one of the ablest officers this country has possessed; and if anything awkward arose on the Continent I suppose it very probable there is no man we should sooner place at the head of an Army than Sir Richard Airey. I have been an Army reformer in my time, and I am still an Army reformer. I have turned the Serpentine through the Horse Guards with greater success than the hon. Gentleman below me (Mr. Rylands) has turned it through the Foreign Office —by one of my first essays in Parliament I reduced flogging in the Army, therefore I feel I have some right to speak on this subject. However Parliament may interfere with the Estimates, as it properly may, I hope we may not get a more expensive Army—though I fear we shall; but if there is one thing I should deprecate more than another—if there is one thing I hope Parliament will never do—it is the taking the command of the British Army from the Horse Guards.

MR. CARDWELL: I shall be glad if any words of mine shall induce my hon. Friend not to press his Motion to a Division; for if he take a Division, he will do so on a point on which he does not carry the House with him. From the tone of his speech, I think his Motion was intended not so much to be levelled personally against His Royal Highness, the Field Marshal Commanding-in-Chief as to raise the question of the tenure of that office. I shall feel it my duty to say a few words on both these points. With regard to the tenure of the office, I wish to say that a few years ago there was an exceptional warrant of the Secretary of State for War which removed the discipline of the Army, the appointments, and the promotions from the control of the Commander-in-Chief. A few years ago that exceptional warrant was withdrawn, and the matter remained without any clear and satisfactory arrangement until last year, when, by an Order of the Queen in Council, it was placed beyond doubt. Dual government cannot be said to have had any existence since that Order was passed; and we are now moving the Horse Guards to the War Office in Pall Mall, in order to obtain that greater convenience of administration which all Secretaries of State, from General Peel to the present time, have pointed out to be necessary, which Sir James Graham's Committee so strongly recommended, and which the Duke of Cambridge agrees with me in recommending to this House. By the Motion before the House—to which I shall confine myself—my hon. Friend asks that the tenure of the Commander-in-Chief should be altered in such a manner as to enable the Secretary of State for War to avail himself of the best administrative talent; and he explains that by saying he wishes to have the five years' rule, which applies to all other Staff officers, applied to His Royal Highness the Field Marshal Commanding-in-Chief. There cannot be anything more deceptive than to pursue an analogy where the reason does not hold. In all other Staff appointments, as has been justly pointed out, the selection is made by a professional officer, by the Field Marshal Commanding-in-Chief — by a person who has no connection with politics. Now, if there is one thing which would be more mischievous than another, it would be to have the smallest suspicion of politics introduced into this office. You have a most difficult problem to solve, because you justly hold the political officer who sits here responsible to you for the approval of the appointments; and, at the same time, you justly determine that these appointments shall not be made by a political officer. That is an extremely difficult problem to solve, and you solve it by taking care to hold high the just authority of the military officer who is at the head of the Army, while, on the other, you hold high the responsibility of the Secretary of State. But if you make the appointment of the Commander-in-Chief terminable at the end of a fixed period, you would, in my opinion, greatly impair and disparage the just authority which ought to belong to that office. Let us consider it in two ways. The appointment might be made either for too long a period or for too short a one. Suppose you had got, by misfortune or by accident, in that high place an officer who really was not competent for it—and the hon. Member for Truro (Captain Vivian) put this point in a thinner House with perfect clearness—would you, because he had a five years' appointment, desire to continue him in the office to the end of the five years? Quite the reverse; you would justly hold the Minister of the day responsible for bringing his appointment to a close. On the other hand, my hon. Friend spoke in disparagement of the Duke of Wellington as Commander-in-Chief; but if such a man as the Duke of Wellington were in the office, would anybody propose to substitute any other person for him? Suppose the eminent man who has so successfully commanded the German Armies were at the head of our Army, would anybody propose that, at the end of five years, he should terminate his office? Therefore, Sir, with regard to tenure, I hold that the office of the Field Marshal Commanding-in-Chief is distinguished from every other Staff appointment by essential differences, and that the continuance of anyone in it, or his removal from it, must depend upon considerations of public expediency and advantage. Therefore I hold my hon. Friend (Mr. Trevelyan) is mistaken in the Motion he makes, and I regret very much if, by persevering in it, he compels us to go into a different Lobby from him, as he is doing so much to support our general proposals. But I must also say a word or two on the ground he took for the proposals he makes with regard to the Commander-in-Chief, in the evidence of the Duke of Cambridge before the Committee of 1857. It would be very severe discipline to be applied to any of us if, in practical matters of this kind, we were to be bound by opinions we may have expressed some 14 years ago. Public opinion marches gradually, sometimes rapidly, and carries us along with it. The illustrious Duke was not the only person who, in 1857, entertained opinions adverse to the abolition of purchase; the Secretary of State of that day thought, under the circumstances, that abolition of purchase was not desirable; and why is the Duke of Cambridge to be held to the opinion he then entertained any more than the Secretary of State? It is admitted on all hands that he gave his evidence before the various Committees by whom he was examined with the utmost frankness. No doubt the opinions which were then placed on record were the opinions he then held; but he did not necessarily hold them for all subsequent time. I know perfectly well that what has recently passed on the subject of the abolition of purchase, and more especially the Report of the Commission over which my right hon. Friend the Member for Morpeth (Sir George Grey) presided, has had a material effect in influencing his judgment on the subject. At any rate the illustrious Duke has cordially assisted the Government in the preparation of their measures, and given us all the support and co-operation we could desire. Well, Sir, with regard to the constitution of the Horse Guards one important change is made. A great deal has been said about the Military Secretary—he has been spoken of as if he were the mere amanuensis of the Commander-in-Chief. But the office of Military Secretary is one of very great importance, because he has to record and tabulate the reports of the general officers inspecting, which are the foundation of promotions in the higher ranks of the Army; and the office will be one of far greater importance if the proposed arrangements are carried into effect. It is only justice to General Foster, the Military Secretary, to say that, in speaking of higher duties, no reflection whatever is intended or thought of with regard to the mode in which the former duties were discharged. Then, Sir, upon the second part of the Motion of my hon. Friend I do not think I need enter at any length to-night—that would be only anticipation. Of course I entirely agree with my hon. Friend that, speaking generally, whatever is obsolete and antiquated ought to be the subject of criticism and removal. I understand the principal object of my hon. Friend is to change the tenure of the office of Commander-in-Chief. I do not understand him to desire at all to point observation against the individual who now happens to fill the high office, but only against the tenure of the office itself. I hope my hon. Friend will see that what I have said is true—that this is an office the duration of which ought not to be measured by mere lapse of time; questions of expediency must be taken into account, and the officer holding it should be in harmony with the Government, assisting and co-operating with them in carrying forward their measures; at the same time you ought to take every means in your power for preventing the patronage of the Army being mixed up with political questions, and holding up as high as possible the authority vested in him. I have listened with admiration to the ability my hon. Friend has displayed to-night. I trust that ability will never be exercised on merely personal matters; and I shall be glad if he will be satisfied with the success he has gained this evening, and will not press his Motion to a Division.

MR. TREVELYAN said, he would not, after the kind attention the House had given him in the early part of the evening, say more than a very few words in reply. He thought a little too much had been made of the five years' tenure of office; if the Governor General of India could be appointed for that period, and the arrangement could work so satisfactorily for so many years, he (Mr. Trevelyan) did not think that the Commandership-in-Chief was an office so very high that it should be regulated differently. He asked for no single remedy to night; he merely wished the House to pronounce that the present tenure was disadvantageous. As for the observations of the hon. Member for Waterford (Mr. Osborne), he did not attach much importance to them. It mattered very little what speeches he had delivered in various parts of the country; but this, at least, he could say, that what he had stated he was not afraid to repeat in that House. He should have been glad to accede to the suggestion of his right hon. Friend who was doing so much for this question and for the Army; but having promised the country to divide the House, and conceiving that to be a more practical mode of giving effect to his opinions than to make jokes about them for 10 years, he should do so.

Question put.

The House *divided*:—Ayes 83; Noes 201: Majority 118.

THE POPE—LETTER OF MR. GLADSTONE.—MOTION FOR PAPERS.

MR. W. JOHNSTON moved an Address to Her Majesty for Copies of the Letter from the right hon. the First Lord of the Treasury to the hon. Member for Queen's County, dated the 30th day of November, 1870, and for other Papers. The hon. Member said, that the contest between France and Prussia, following hard on the declaration of Papal Infallibility, had produced a state of affairs in Italy which caused some correspondence between the right hon. Gentleman at the head of the Government and other persons who were anxious to ascertain the views of Government upon this important question. There was great anxiety felt in Ireland among the members of the Roman Catholic body on the subject. Meetings were held by them and addresses forwarded to the Prime Minister soliciting the Government on behalf of the Pope—and altogether the subject had assumed a character of sufficient importance to justify a demand for the Papers relating to it. The first portion of the Papers asked for comprised the correspondence between the First Lord of the Treasury and the hon. Member for Queen's County (Mr. Dease). Under ordinary circumstances he of course should not have moved for these letters; they were not, however, in the nature of private correspondence; they comprised a letter from the Prime Minister of a great Protestant country pledging not only himself, but the whole of the Government, to a policy inconsistent with Protestant principles. An important reference was made to this subject by *The Times* correspondent at Florence on the 21st of December last, when, in commenting on a recently issued Green Book, he wrote—

> "Another despatch of Signor Cadorna, dated the 27th of September, shows how well the chief of the English Foreign Office understood the situation of affairs in Italy, and how warmly he recommended the Italian Government to leave alone that unfortunate business of *Roma Capitale.* Though his advice with regard to the transfer of the capital is not accepted, he tries to persuade the Pope not to leave Rome. Mr. Otway, in a conversation he had with Signor Cadorna on the same day, seems to have insisted once more upon the necessity of postponing the transfer, and points out the difficulties the question produces in Ireland."

But this matter produced difficulties in other places besides Ireland. The letter of the right hon. Gentleman excited great interest in Edinburgh, where it was keenly felt that if the spiritual functions of the Pope were officially recognized by the Prime Minister, this country would not be adhering to the principles of the Reformation—because it was well understood that the spiritual functions of the Pope had ever been opposed to civil and religious liberty. The feeling was so strong in Scotland that the letter of the Prime Minister was an emphatic condemnation of the Reformation, that the matter was discussed at a meeting of the Edinburgh Free Church Presbytery on the 28th of December last. In the course of the discussion Dr. Candlish remarked that—

> "Mr. Gladstone stated in his letter to him that at one time he intended to publish that letter (one to Dr. C.'s friend) ; but that, influenced by the advice of his colleagues, he had thought it better to abstain from publishing it at this time, and to wait till the meeting of Parliament, when he would be prepared to offer any explanation which any parties in the House might seem to require."

In conformity with that declaration he now asked for the letter, in order that the required explanation might be given. After this meeting a number of anxious inquirers on the Liberal side of the House met to consider the matter in Pall Mall; the consultation resulted in a letter to the Prime Minister, signed by the hon. Members for Perth (Mr. Kinnaird) and Marylebone (Mr. T. Chambers), dated the 6th of January. This letter was not replied to until the 19th; and then came a correspondence commencing with "My dear Gladstone" and "My dear Kinnaird," and when it was remembered that these two letters were dated on the same day, one was anxious to know where the correspondence was concocted, who suggested the conclusion, and how it came to be published. But surely the House should be put in possession of the facts when a Free Church Presbytery had been told the matter was capable of explanation, and the public generally had been assured that a private conversation in a certain house was eminently satisfactory to the distinguished Protestants who took part in it. It seemed, however, that the letter to the Prime Minister was repeated in substance in a despatch by Lord Kimberley to the Governor of Gibraltar, dated the 16th of January, 1871, in which he had said—

> "Her Majesty's Government have not interfered in the civil affairs of the Roman States on the occasion of former events which have occurred during the reign of the present Pope, nor can they now so interfere ; but the deep interest which is felt by many millions of Her Majesty's subjects, in common with the petitioners, in the position of the Pope renders all that concerns his personal dignity and independence, and freedom to exercise his spiritual functions, fit subjects for the notice of her Government, and they have not failed to take such steps as are in their power to afford to the Pope the means of security in case of need. Her Majesty desires me to state that this subject will continue to receive the careful attention of her Government, and that she has seen with much satisfaction the declaration of the Italian Government that the Pope's freedom and independence will be fully maintained, and due provision made for the support of his dignity."

Possibly the explanation to be offered by the Government would be satisfactory to the Protestants of England; but, however that might be, it was eminently satisfactory to the Vicar Apostolic of Gibraltar, who writes as follows:—

> "Her Majesty's Royal goodness, as well as the kind notice taken by Government of the Holy Father's cause, and the formal recognition set forth in Earl Kimberley's despatch of 'the deep interest felt by many millions of Her Majesty's subjects, in common with the petitioners, in the position of the Pope,' lead me to entertain every confidence that Ministers will never be satisfied that the liberty and independence of our supreme spiritual chief be left to rest on the sole security of the Italian Parliament and Government, whose policy does not offer sufficient guarantee for the future."

Thus Her Majesty's Government had at the same time satisfied the Vicar Apostolic of Gibraltar, and Dr. Candlish, of the Edinburgh Free Church Presbytery. Under those circumstances he trusted the Government would not refuse these Papers, nor the House be induced to treat the matter lightly; for the policy indicated in the letter of the Prime Minister was certainly "inconsistent" in the words of the Bill of Rights "with the safety and welfare of this Protestant kingdom." The hon. Member then moved the Address for Papers.

MR. MILLER, in seconding the Motion, said, that the question had excited great interest in the constituency he represented, and he thanked the hon. Member for Belfast for having brought it forward. He attached the greatest importance to the production of the correspondence between the Foreign Secretary and the British Diplomatic Agent at Rome.

Motion made, and Question proposed,

"That an humble Address be presented to Her Majesty, praying that She will be graciously pleased to give directions that there be laid before this House, Copies of the Letter from the Right honourable the First Lord of the Treasury to the honourable Member for Queen's County, dated the 30th day of November 1870, in which reference is made to 'the Sovereign Pontiff;' and it is declared that 'Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope, and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice:'

Of the Correspondence between the First Lord of the Treasury and the honourable Members for Perth and Marylebone, on the same subject:

Of Despatches of the Foreign Secretary to Foreign Governments, and of the Colonial Secretary to the Governors of Malta and Gibraltar, on the same subject:

And, of all Despatches from the British Diplomatic Agent resident in Rome since the 1st day of August 1870."—(*Mr. William Johnston.*)

MR. GLADSTONE: I am sorry that the hon. Member for Belfast (Mr. Johnston) has framed his Motion in such a manner as makes it impossible for the Government to agree to it as it stands. The hon. Member has combined a great many matters in his Motion, to some of which I do not object, but to others of them I cannot agree. But before dealing with it I will state the position the Government assumes with regard to the question. With respect to the letter to Mr. Dease, the Government adhere to the proposition it contains. The Government do not, as the hon. Member has stated, wish to have the spiritual functions of the Pope recognized or meddled with by us in any way; but the Government believe that the liberty of the head of the religion of many millions of our fellow-subjects—his liberty and personal independence—is a legitimate matter for the notice of this Government. That is the proposition we maintain and that we mean to adhere to; if the hon. Member thinks that a proposition dangerous to the principle of the Reformation, all I can say is that the principles of the Reformation must be more limited than most Protestants commonly believe them to be. If my language, through its looseness, has scandalized the conscience of the hon. Gentleman or any other hon. Member, I should be glad to remove that difficulty. The Motion consists of no fewer than five branches. First, it asks for the production of the letter from the First Lord of the Treasury to Mr. Dease; then for the correspondence between the First Lord of the Treasury and the hon. Members for Perth and Marylebone; thirdly, for the Despatches of the Foreign Secretary to foreign Governments; fourthly, for the Despatches of the Colonial Secretary to the Governors of Malta and Gibraltar, on the same subject; and, fifthly, for all Despatches from the British Diplomatic Agent resident in Rome since the 1st of August, 1870. Now, the Government have prepared and directed to be laid on the Table of the House Papers on the Italian question; and I think the hon. Gentleman would have exercised a sound discretion, these Papers being actually on the Table, or, certainly, on the very point of being laid on the Table, if he had waited a little to see what they contained. We could not accede to a Motion for the production "of all Despatches from the British Diplomatic Agent resident in Rome" since the 1st of August, 1870. That is not the manner in which the House usually deals with a Motion for such Papers. It has been the custom of the House to leave to the Government a discretion as to those despatches which it may be advisable to lay before Parliament, and as to those other despatches, or portions of them, which it may be advisable to withhold. If the object of the hon. Gentleman is—as I daresay it is—to question the matter of this correspondence, I think he can obtain that object in a very simple manner by moving a portion of his Motion to which I know of no objection—namely, for the production of the Despatches of the Colonial Secretary to the Governors of Malta and Gibraltar. These are regular official documents, and if he likes to move for them he is perfectly welcome to them as far as I am concerned, and they will give him the language of the Government in an authentic form. With regard to producing "all Despatches from the British Diplomatic Agent resident at Rome," as we have laid the Italian Papers on the Table, I do not think the hon. Gentleman should endeavour to force on the House such a sweeping Motion at the present moment. Let him exercise his discretion as to that point afterwards. With respect to the first part of the Motion, I think, in the first place, it is unnecessary; the hon. Gentleman is in possession of those Papers, inasmuch as he recites a portion of them in his Motion. On the other hand, I feel considerable difficulty in acceding to a proposal which I think would form a bad precedent. The hon. Member proposes to convert into official documents, to be produced in this House, a correspondence between a Minister and certain Members of this House. This is not a proceeding which the House would do well to establish as a precedent without very careful consideration. It often happens that a Member of this House may write to a public Office on a matter of public interest and may receive an answer that is afterwards published in the newspapers. That sometimes occurs. But I doubt whether it is desirable, without laying down any rule for its limitation, to establish a practice of converting such letters into official Papers. The hon. Gentleman should not suppose it is necessary that everything should be made an official Paper of and laid on the Table in order that it may be animadverted upon in the House. In this case there is no difficulty whatever in his making such animadversions, because the Papers are on the Table, which he regards as the *corpus delicti*. But on account of my objection to laying down a precedent for calling for the production, as official documents, of all correspondence that may pass between Members of this House and a Minister, and which may subsequently be published in the newspapers, I am very sorry that I cannot agree to this Motion as it stands.

Mr. GREENE said, he thought the House had a right to the production of the Papers referred to in that Motion; but he confessed he did not lay much stress on the correspondence between the Member for Perth (Mr. Kinnaird) and the Prime Minister. They could all see that the hon. Gentleman had come to the rescue of his right hon. Friend; for when he first read the Prime Minister's letter he could not have thought that a man of his acuteness could ever have committed such words to paper; nor was he singular in that opinion, for the matter had caused the greatest sensation in Scotland. The Prime Minister declared that—

> "Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope, and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice."

He would ask the right hon. Gentleman how far hè thought that interference might be legitimately carried? If they were to interfere at all in a matter that did not concern this country—supposing the independence of the Pope to be affected, was their interference to be backed up by nothing more than moral force? The people of this country stood in doubt as to the intentions of the Government on this matter, and felt they ought to have a direct answer as to whether we had anything to do with the Pope or no. Surely they could leave the Pope very well to take care of himself. He trusted there were still some Members of the Liberal party left who would adhere to the Protestant feeling of the country. This country did not interfere with the liberty of the Pope, nor ought it to be called upon to defend that liberty, if it should be in danger, from any foreign Power. He regretted that the subject had not been brought forward in a more definite form; but let the Government tell them plainly how far they meant to protect the Pope if his liberty or independency was in jeopardy.

Mr. NEWDEGATE: I take a somewhat different view of this subject from that in which it has been treated; because, having been a Member of this House in 1848, I remember well the long discussions which took place at that time with regard to the proposal made for establishing relations with his Holiness the Pope. After lengthened debates in both Houses, it was decided that it would be impolitic and utterly inconsistent with the character of the Government of this country, that any relations whatever should be established between the Government of Her Majesty and the Pope in his spiritual capacity. This was decided after several Divisions. Objections to the Diplomatic Relations Bill, which was then introduced by the Government, were taken by the Duke of Wellington, one of the Ministers who promoted the Roman Catholic Relief Act of 1829. I advert to this fact in order to show that the noble Duke could not be actuated by a spirit of intolerance; but that, on grounds of a recognized policy, as one of the Ministers who passed the Relief Act of 1829, he objected to the Bill introduced by the Liberal Government of that day, because it would have established relations between the Government of Her Majesty, whose only title to the Throne rested on the fact that she was the representative of a Protestant family, and the Pope in his capacity of Sovereign Pontiff. Lord Eglinton also moved and carried a clause in the House of Lords, to the effect that the future relations of the Government of Her Majesty with the Government of the Roman States should by law be limited to communication with the Pope in his temporal character only as Sovereign of the Pontifical States. That is now the law of the United Kingdom, and that law was passed for the express purpose of excluding the legalization of any relations between the Government of Her Majesty, as the Protestant Sovereign of these realms, and the Pope, as Sovereign Pontiff, by which description it was fully explained in debate, the Pope in his spiritual capacity was described. Now, Sir, we have had a pretty plain avowal from the right hon. Gentleman at the head of the Government that he considers it to be his duty to violate the intention of the law—because, according to that law, the ancient restrictions upon the action of the Government are clearly retained. I will not trouble the House with the quotation; but it is expressly recited in that Act that nothing therein contained shall be taken to justify any Prime Minister of this country in entering into any relations with the Pope in his spiritual capacity. [MR. GLADSTONE: Hear, hear!] The right hon. Gentleman cheers what I say. Let me ask him what business it is of his to support this spiritual authority at all?

MR. GLADSTONE: I said that we had no relations whatever with the spiritual functions of the Pope; that our business was, so far as it is declared here to be legitimate matter for our notice, with his freedom and independence in the exercise of them, but as nothing whatever to do with those spiritual functions.

MR. NEWDEGATE: The right hon. Gentleman's definition is so fine that really my blunt vision cannot perceive it. He says that he does nothing to violate the intentions of the Act of Parliament, because he does not enter into relations with the Pope in his spiritual capacity, and, at the same time, in answer to a Roman Catholic Member of this House, he writes that he considers it his duty to maintain the independence of the Pope in the exercise of those very spiritual functions. This was in answer to an application made to him, founded upon the fear that the Pope may be coerced in the exercise of his spiritual authority. Now, supposing that that fear were to be realized, which is the anticipation upon which all this proceeds, the right hon. Gentleman has engaged, he tells us, and intends to use the power of England in removing the hindrances to the free exercise of the spiritual authority of the Pope. [MR. GLADSTONE: "No."] Well, Sir, had he not better give us the correspondence which will explain to us what he really means? Since, I can answer for it, that, at this moment, throughout the length and breadth of the United Kingdom, it is believed and understood that the engagement of the right hon. Gentleman extends to this—that, without the Pope's having sought the hospitality of England by going to Malta—a contingency which was contemplated by the late Lord Palmerston; for I put the question twice myself to him, and his reply will be found in *The Standard*, and that answer I commend to the study of the right hon. Gentleman the Secretary for the Home Department, who cheers me—the Prime Minister has pledged the honour of this country to maintain the independence of the Pope in his spiritual functions. I should be very glad if the replies given by the present Prime Minister were in the sense of Lord Palmerston; but the right hon. Gentleman says, and I will read his words to the House—

> "That Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope, and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice."

Well, Sir, that has been announced to all Europe, and the right hon. Gentleman is held now to stand in the position of having almost, if not quite, pledged the honour of this country to the maintenance of the Pope's independence in the exercise of his spiritual functions—those very functions with which the right hon. Gentleman is forbidden by law to interfere. I think that the hon. Member for Belfast (Mr. Johnston) has rendered a public service by asking for these Papers. I am confident of this—that no one who, like myself, remembers what took place in Parliament in 1847 and 1848, or who has carefully read the Diplomatic Relations Act as it stands in the statute book, can fail to see that, instead of limiting his interference to the offer of protection to the Sovereign Pontiff of the Roman States, in his temporal capacity and as a temporal Sovereign, the right hon. Gentleman the Prime Minister has distinctly transgressed the limits of the statute by undertaking to maintain the independence and the spiritual functions of the Pope. And, Sir, if the right hon. Gentleman is about to frame some new statute to authorize his conduct, I trust that he will not fail to define the limits between the temporal and spiritual functions of the Pope; a task which, hitherto, has been too much for all the sagacity of the statesmen of Europe for centuries. The intention of the right hon. Gentleman is clearly this—to maintain the authority—the spiritual authority—of the Pope. Yes; that is the construction which plain Englishmen put upon this letter; and it is also the construction put upon it in another part of the United Kingdom—in Ireland. Sir, I am not surprised at the deep and earnest feeling which pervades the country on this subject, and I hope that the hon. Member for Belfast will press his Motion to a Division.

Mr. W. H. GREGORY reminded the House that the question before them was not the spiritual power of the Pope, but simply whether certain Papers ought to be laid upon the Table. The House ought to bear in mind that the whole question would be brought under its consideration on Friday next, when the Motion of the hon. and gallant Member for Longford (Mr. O'Reilly) was brought forward. It was most unfair that, on an occasion like the present, when Ministers had no power to explain their language, statements should be made which would go before the country without explanation.

Sir JOHN PAKINGTON: I cannot agree with the statement of the hon. Member who has just sat down (Mr. W. H. Gregory), that the Motion to be brought on on Friday next has anything to do with the question now before the House. The two questions are entirely distinct. The Motion of the hon. and gallant Member for Longford (Mr. O'Reilly), which will be brought before the House on Friday next, involves the Italian question — that is to say, the manner in which Rome has been taken possession of by the King of Italy, and it has nothing to do with the one now before us, which is whether certain particular correspondence should be produced or not. We have heard the answer of the right hon. Gentleman; he takes an exception to certain portions of the Motion, which I think are well founded. The objection, however, that he makes to the production of a copy of his letter to the hon. Member for the Queen's County (Mr .Dease), on the ground that to produce it would be to make official correspondence between a Minister and a Member of this House, cannot, I think, be sustained. I can see no objection in principle to the production of this correspondence. The right hon. Gentleman has written a letter which has attracted great public notice, and which is of a nature that very much touches the feelings of a large portion of the population of this country and of a large section of the Members of this House; and it having merely been seen copied in a newspaper, a perfectly natural and fair desire has been expressed that this House should be put in possession of an official copy of that document, in order that they may be satisfied as to the actual character of a communication made by the Prime Minister to a Member of this House upon a subject of thorough importance and interest to the country. Under these circumstances, I hope that the right hon. Gentleman will re-consider his decision in this matter. I cannot, however, help thinking that the hon. Member who brought this subject forward would do well, after the statement of the right hon. Gentleman, to limit his Motion to that part which relates to the production of the right hon. Gentleman's letter.

Mr. W. JOHNSTON said, he would assent to the suggestion of the right hon. Baronet, and would merely press for the production of an official copy of the right hon. Gentleman's letter to Mr. Dease.

Mr. GLADSTONE: The hon. Member has called for certain Papers, to the production of which I do not think I should be justified in assenting; but, at the same time, I am desirous of concurring with him in an arrangement by which the substantial object of the Motion will be attained. I do not wish to be responsible for the establishment of a new precedent for the production of correspondence between a Minister and Members of this House; but if the hon. Member wishes merely to obtain an official copy of my letter, he can attain that object by providing himself with a copy of the letter—if he cannot do so, I dare say I can supply him—and asking me whether it is a genuine document, and he can then take any proceedings with respect to it that he thinks fit.

Mr. SPEAKER: There seems to me to be a difficulty as to the form of the Motion of the hon. Member for Belfast. He has moved an Address to the Crown for Copies of certain Papers; but, in effect, his Motion is merely the expression of a desire that a certain letter written by the Prime Minister to a Member of this House should be produced. I do not think the form of an Address to the Crown for a letter that is not in the possession of any Public Department is a proper one.

After a brief consultation with Mr. W. Johnston,

Mr. SPEAKER said, the hon. Member for Belfast desires to withdraw his Motion for an Address, and to be permitted to move simply for the production of the letter to the hon. Member for the Queen's County.

Motion, by leave, *withdrawn.*

Moved, "That there be laid before this House, a Copy of the Letter from the Right honourable the First Lord of the Treasury to the honourable Member for Queen's County, dated the 30th day of November 1870, in which reference is made to 'the Sovereign Pontiff;' and it is declared that 'Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope, and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice.'"—(*Mr. William Johnston.*)

Mr. GLADSTONE: The First Lord of the Treasury is one of the Commissioners of the Treasury, and is also a Member of this House. In the double capacity, therefore, of First Lord of the Treasury and Member of the House I am not willing to accede to a Motion of this kind, which I believe to be wholly without precedent, and which, if carried, would result in no practical convenience. I have pointed out to the hon. Member a simple and easy method by which he can place the letter on the records of the House; and if he does not choose to avail himself of that method I have no course open but to oppose his Motion.

Mr. NEWDEGATE said, the right hon. Gentleman was mistaken. The only effect of the method suggested by the right hon. Gentleman would be to place the letter in *Hansard's Debates*, and not upon the records of the House. If the right hon. Gentleman could suggest a mode by which the letter would appear upon the Journals of that House, he, for one, would be willing to accede to it.

Mr. CARDWELL: I should like, Sir, to ask you a question on this subject. If the letter is to be produced, I presume it must be produced by some person, and I should like to know upon whom the order to produce is to be made.

Mr. SPEAKER: Upon the Gentleman to whom the letter was addressed, and in whose custody it remains.

Question put.

The House *divided:*—Ayes 90; Noes 153: Majority 63.

IRELAND—HIGH SHERIFFS OF WESTMEATH AND LOUTH.

MOTION FOR PAPERS.

Mr. MONK rose to call attention to the recent nomination of High Sheriffs for the counties of Westmeath and Louth. A short time ago the appointments of High Sheriff for the counties in Ireland were made, and among those appointments were those of two or three gentlemen who had no property of any description in Ireland, and, so far as he was advised, no qualification to serve in the office of Sheriff for any county in Ireland. It had, for some time past, been the practice for the Government of Ireland to appoint gentlemen to the office of High Sheriff of a county without any reference to their possessing any land or other qualification in Ireland. A relative of his own, who did not possess an acre of land in Ireland, and who had no residence in that county, and who, in fact, had never resided in Ireland, was recently nominated to the office of High Sheriff for the county of Westmeath. His relative requested to be excused from serving; but he was informed by an officer of the Irish Government that it was necessary he should take upon himself that office. Believing that it was his duty to serve his Sovereign in that capacity, he had taken the oaths as Sheriff; but before undertaking the responsibilities of High Sheriff of Westmeath, which was not altogether in a satisfactory state, and in which it was not improbable that there might be a capital conviction during his term of office, he was anxious to ascertain whether the acts he might perform as High Sheriff of Westmeath would be legal. The 14 *Charles* II., c. 21, contained the following section:—

> "And it is hereby further provided and ordained that no person shall be assigned to be Sheriff of any county within this realm except such as have land within the said county sufficient to answer the King and his people."

He (Mr. Monk) had the authority of a learned Queen's Counsel for saying that his hon. relative was not duly qualified to hold the office of High Sheriff, and that all his acts done in that capacity would be illegal. Since he had entered the House he was informed by his hon. Friend the Member for East Kent (Mr. Milles) that having been pricked for the office of High Sheriff of that county, as the eldest son of a Peer, though possessing no land or property of any description in the county, he had instructed his legal advisers to protest against his nomination to the office, and it was ruled by the Judges that the appointment was invalid, and it was consequently cancelled.

Captain BRINCKMAN, in seconding the Motion, said, that a relative of his had been pricked for the office of High Sheriff of Donegal, who resided in a house lent him by his father, and neither the house nor the land which surrounded it ever would be his own.

Motion made, and Question proposed,

> "That there be laid before this House, a Copy of the Correspondence that has taken place between the gentlemen nominated to be High Sheriffs for the counties of Westmeath and Louth and Her Majesty's Government."—(*Mr. Monk.*)

The Marquess of HARTINGTON said, the hon. Member for Gloucester (Mr. Monk) had been very impatient and somewhat unreasonable in bringing the matter before the House. He had only that evening received from Ireland the correspondence alluded to, expressing a doubt as to the legality of the appointment, and requesting that he would submit the point to the Law Officers of the Crown for their opinion. That he had already done, and it was quite impossible that he could obtain their opinion in two or three hours. Everything had been done that the gentlemen in question asked to be done, and he was perfectly satisfied with the course the Government proposed to adopt. He believed the practice in Ireland was very different from that in England, and that gentlemen there who had no property in the county had been called upon to serve, and had done so. At all events, the initiative was not taken by the Executive, but by the Judges. The Judges prepared a list, which they submitted to the Executive, and all the Executive did was to take the first names on the list and nominate them. Now, if the practice was illegal, it was one that had been initiated and sanctioned by the Judges of the land; but if it were found to be wrong, the practice would be discontinued, and means would be taken to relieve those who had this year been so appointed. As to the production of the correspondence, he begged to call attention to the fact that the Motion was made entirely without Notice. He would look into the correspondence, and see whether the whole or any part of it could be produced; but, on the part of the Government, he must decline to produce a correspondence which he had not had an opportunity of considering.

The SOLICITOR GENERAL for IRELAND (Mr. Dowse) said, as he had been so pointedly alluded to he should say a word in explanation. He thought when the question was put to him—and he still thought—that it would be an improper thing for him, in answer to a Question in this House, to review the decision of the Judges; if the Law Officers of the Crown, when the question had been considered by them, were of opinion that the gentlemen in question had been improperly appointed, the Government would take means to remedy whatever had been wrongly done, and to appoint others to the offices. He did not, however, anticipate that any such conclusion would be come to.

Motion, by leave, *withdrawn.*

GAME LAWS ABOLITION BILL.

On Motion of Mr. Taylor, Bill for the Abolition of the Game Laws, *ordered* to be brought in by Mr. Taylor, Mr. Dickinson, Mr. Jacob Bright, and Mr. M'Combie.

TRIAL BY JURY (IRELAND) BILL.

On Motion of Mr. Lambert, Bill to assimilate the Law of Trial by Jury in Ireland to that of Scotland, *ordered* to be brought in by Mr. Lambert, Mr. M'Lagan, and Mr. M'Combie.

Bill *presented,* and read the first time. [Bill 47.]

SALE OF LIQUOR ON SUNDAY BILL.

On Motion of Mr. Rylands, Bill to extend to the whole of Sunday the present restrictions on the sale of Beer and other fermented or distilled Liquors, *ordered* to be brought in by Mr. Rylands, Mr. Candlish, Mr. Birley, and Mr. Osborne Morgan.

Bill *presented,* and read the first time. [Bill 48.]

INFANT LIFE PROTECTION BILL.

On Motion of Mr. Charley, Bill for the better protection of Infant Life, *ordered* to be brought in by Mr. Charley, Dr. Brewer, and Dr. Lyon Playfair.

Bill *presented,* and read the first time. [Bill 49.]

PAWNBROKERS.

Select Committee *appointed,* "to inquire into the state of the Law affecting the Pawnbroking Trades, with a view to its consolidation and amendment:"—Mr. Ayrton, Mr. Richard Arkwright, Mr. Alderman Carter, Mr. Hambro, Mr. Thomas Hughes, Mr. Charles Mills, Mr. Whitwell, Mr. Ridley, Colonel Beresford, Mr. Morley, Mr. Montague Guest, Mr. Charley, Mr. Plimsoll, Mr. Crum-Ewing, and Mr. Orr-Ewing:—Power to send for persons, papers, and records; Five to be the quorum.—(*Mr. Ayrton.*)

PUBLIC ACCOUNTS.

Committee of Public Accounts *nominated:*—Mr. Stansfeld, Mr. Pollard-Urquhart, Mr. Sclater-Booth, Lord Frederick Cavendish, Mr. Seely, Mr. Liddell, Mr. Algernon Egerton, Mr. Goldney, Mr. Candlish, Mr. Ward Hunt, and Mr. Crawford.

BANK HOLIDAYS BILL.

On Motion of Sir John Lubbock, Bill to make provision for Bank Holidays, and respecting Bills of Exchange and Promissory Notes payable on Bank Holidays, *ordered* to be brought in by Sir John Lubbock, Sir David Salomons, Mr. Barnett, and Mr. Rathbone.

Bill *presented,* and read the first time. [Bill 50.]

LAW OF RATING (IRELAND).

Motion made, and Question proposed, "That a Select Committee be appointed to inquire into the operation of the Law relating to the area of Rating in Ireland, and to consider whether such area may be beneficially extended."—(*The Marquess of Hartington.*)

Motion, by leave, *withdrawn.*

Select Committee *appointed,* "to inquire into the operation of the Law relating to the area of Rating in Ireland, and to consider whether such Law may be beneficially amended."—*The Marquess of Hartington.*)

House adjourned at Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 22nd February, 1871.

MINUTES.]—New Writ Issued—*For* Hereford City, *v.* Colonel Edward Clive, Chiltern Hundreds.

Select Committee — Steam Boiler Explosions, *appointed* and *nominated.*

Public Bills—*Ordered—First Reading*—Church Rates Abolition (Scotland)* [52]; Lodgers' Goods Protection* [54]; Parish Churches* [53].

First Reading—Game Laws Abolition* [51].

Second Reading — Public Parks, &c. (Land)* [25]; County Property* [29].

Withdrawn—Merchant Shipping Survey [3].

MERCHANT SHIPPING SURVEY BILL.

(*Mr. Plimsoll, Mr. Wheelhouse, Mr. Lambert.*)

[BILL 3.] SECOND READING.

Order for Second Reading read.

Mr. PLIMSOLL, in moving that the Bill be now read a second time, said, that during the last 25 years there had been legislation for the benefit of those who were engaged in almost every branch of industry, except that of shipping, although upwards of 738,000 persons were engaged in it; and they might as well have been the inhabitants of any other country for the care that had been taken of them. The wages of workmen on land, in case of bankruptcy, were as safe as a landlord's rent; but it was not so with reference to workmen on the seas. A ship had recently come home, after an 18 months' voyage, and the owner having become bankrupt the mortgagee had taken the ship and her earnings, leaving the crew without their wages or redress, although a sum of £50 was coming to each of the men. The law which punished workmen for leaving their employment without leave by imprisonment had been repealed; but only last week the magistrates of North Shields committed three men to gaol for 14 days, because they refused to go to sea in the *David Malcolm*, which the log-book showed was making from four to five inches of water per hour; and those men were in gaol now. In order to ensure the safety of a dwelling-house, the Building Act required that the plans should first be approved by the district surveyor; but, in the case of a ship, the builders might use inferior material in its construction, and thereby imperil the lives of the crew, without interference on the part of the authorities. We limited the load of an omnibus simply to consult the convenience of the passengers, but we refused to limit the load of a ship, although, in the latter instance, lives were immediately in jeopardy. Formerly an owner anxiously awaited the arrival of his vessel, especially if her voyage was longer than usual; but since the existence of marine insurance his anxiety was greatly diminished, and he frequently reaped a pecuniary advantage from the loss of the ship. He held in his hand a minified copy of the wreck chart, which showed that, during the past year, 2,589 vessels had been lost; and in their Report for the preceding year the Board of Trade stated that the number of vessels employed in the regular carrying trade that had suffered wreck or casualty was 2,000, and that half of this number represented unseaworthy and overladen vessels, of the collier class. The National Life Boat Institution, in their quarterly journal for November, 1870, again called attention to the rotten state of many of the ships, about 20 years old, that were wrecked every year, and remarked that, in too many instances, when such vessels got ashore, the crews perished before the life boat could possibly reach them. On our own coasts alone some 3,053 lives had been lost in the course of the three years ending December, 1868, being an annual average of about 1,018. But in accurately measuring the extent of the loss of life, the number of persons saved by life boats and other voluntary agencies must be included. In one year alone, 5,121 men had been saved, so that the loss of life should be reckoned at 6,000 to 7,000 but for those agencies. Such was the condition of some of the vessels employed on the East Coast that the ordinary societies refused to insure them; and, under those circumstances, the owners formed themselves into a mutual insurance club, in order to insure each other against the loss of their vessels. While conversing with a shipowner in Newcastle-upon-Tyne, he ascertained that one club of this class called the "Ocean" stopped payment, after having been called upon to contribute 20 per cent premium for one year and 24 in the next, showing that the vessels in these clubs had only about four years of life left in them at the time they were insured. He also learned that the shareholders in the Shields Marine Club had to pay no less than 30 per cent for the losses of a single year. All these existing evils he asked the House to remedy. Several of the causes of disaster among shipping were so patent that they might at once be considered with a view to immediate legislation, while some of the causes would doubtless require special knowledge, such as qualified men might give. A great number of vessels were lost every year simply from rot; they were so utterly bad that the sails might be taken, doubled in the hands, and rent; he had seen a mast of 16 inches in diameter which, when sawn asunder, was found to contain only four inches of sound wood, and the rest was so soft that a dinner knife could be driven into it up to the handle. He could take hon. Members to the Pool below London Bridge and point out a dozen ships into whose masts the ferule of an umbrella could be driven up to the umbrella itself; and where they had great difficulty in preventing the men from shovelling up the bilge planks when they shovelled up the coal. Surely, with such facts as these in its possession, the House was competent to decide whether such vessels should be allowed to go to sea in a laden state without being repaired? The House could have no hesitation in at once pronouncing upon that issue. Another cause of disaster was overloading, and he was prepared to say that several vessels were overladen with the positive design that they should sink in the course of their voyages. ["Oh, oh!"] It was quite true, and he could substantiate the statement. Where this design did not exist the overloading was carried on to such an extent as to render the vessel practically unseaworthy. The House would, therefore, experience no difficulty in arriving at a decision on that issue also. With regard to excessive insurance, he mentioned several cases in which vessels, having previously been insured for sums beyond their actual value, were lost, and brought pecuniary advantage to the owners. In one case, which came before the Lord Mayor last year, the owner of a ship confessed he had only given £300 for a ship, whereas he had actually insured it for £1,000. Was it not an insult to common sense to suppose that the owner of that ship wished it to make its voyage in safety? In North Shields, too, only a fortnight ago, an owner confessed in a Court of Law that he had insured for £800 a vessel which he expected would not sell for £400; and this confession was made on the charge that he had intended the vessel's destruction. In another case, an owner having paid £7,500 for a vessel, £5,000 of the purchase money being left on mortgage, sent in a proposal to Lloyd's to insure it for five-sixths of what he declared its value to be—namely, £13,000. In the last case the rate of premium was eight guineas per cent per annum, and the underwriters were induced, by false representations, to accept the payment of 400 guineas per annum more than they would have taken had they known the facts of the case. People who were in business expected to make a profit from their outlay, but how could a profit be gained in this instance, except by the actual foundering of the ship, which took place within the year, involving the loss of 23 lives? The two principles on which this measure rested were, to render a survey of unclassed ships compulsory, and to prohibit the overloading of ships that were to be sent to sea. Both these principles were indicated in a memorial to the Board of Trade adopted by the Association of Chambers of Commerce at a meeting held in the Westminster Palace Hotel last year. Considering the number of lives jeopardized, it was deeply to be regretted that vessels, unlike houses, should be allowed not only to be badly constructed, but to be lengthened or altered in any other way, without proper regard being had to the relative strength of the unaltered portions of the vessel. In support of his proposal to inspect ships he mentioned the case of a vessel seven breadths in length being cut in half, and 40 feet being put in the middle, thus increasing its length from seven breadths to nine and a half breadths; and this was done without the proper addition of bulkheads, knees, and other strengthening work. Another source of disaster was bad stowage, which might be easily ascertained. Many ships were sent to sea very inadequately manned. He had a letter in his hand telling him that a screw steamer 1,500 tons register left Liverpool on a voyage to the East with only eight deck hands on board. That would be all very well in fine weather; but it would be fatal if the weather were rough. Another such source was deficient engine power, which also was most disastrous in bad weather. These were subjects which might be submitted to Committees in the progress of the Session; but he now directed attention to matters with a view to preventing the overloading of ships and the sending of unworthy ships to sea. The Chambers of Commerce in nearly all the great towns had adopted similar resolutions, and all of them asked the Government to do that which he now asked the Government and the House to do. But the most signal confirmation of the justice and the propriety of the proposals which he submitted to the House was contained in a communication to *The Shipping Gazette*, from Mr. W. C. Rundell, a man of considerable experience and knowledge in the port of Liverpool. He said—

> "Mr. Plimsoll's proposal has met with a large amount of the support of the shipowners of this town. The committee of the Shipowners' Association have unanimously supported this—the enforcement of a load-line—part of the Bill, as they consider that while this restriction on the loading of shipping will not affect those who load their vessels properly, it will act as a check on others who do not, and will considerably reduce the amount of insurance."

Mr. Rundell was the secretary of the Liverpool body of underwriters, and the Liverpool shipowners had supported the passing of the Bill. Besides this, there was almost unanimity in the Press. During the last month he (Mr. Plimsoll) addressed an assemblage in the Free

Trade Hall in Manchester, and he had since received no less than 31 newspapers, containing leading articles on the subject. These came from Manchester, Sheffield, Leeds, Derby, Liverpool, Newcastle, Devonport, Bristol, and several other places; but of the whole 31 only two deprecated a change in the matter, and all the rest expressed themselves in unqualified terms of approval of the proposals of the Bill—that ships requiring repairs should be repaired, and that ships should not be overloaded. Some people thought it was not the duty of the Government to see to these matters, but that it was the duty of the insurers or underwriters; but there could not be a greater mistake than that. There were at least four cardinal differences or points of contrast between insuring a house and insuring a ship. He would give as an illustration the case of an insurance effected at Lloyd's in January, 1868, for £10,000 upon goods to be shipped in India for England. The goods in question were put into eight ships, and the number of people who underwrote that policy—that was, who accepted a portion of the risk—were 34 who engaged for £200 each, 16 for £150 each, and eight for £100 each; and, as eight ships were employed, in dividing the risk among these different persons it followed that no individual underwriter was interested to a larger amount than £25 in any single ship. How, then, could they expect people who were so little interested to take the trouble of inquiring into the seaworthiness of the vessels, or, in case of a disaster, to dispute by costly litigation their liability to the claim made upon them? Another policy was for a £50,000 cargo from Bombay to any port of the United Kingdom. In that case 53 persons underwrote for £500, 25 for £400, 11 for £300, 4 for £250, and 11 for £200 each; but as five ships had been employed to bring home the freight, the highest claim of any one underwriter was too small a sum to give him an interest of £100. From a full knowledge of the whole matter, extending over a long time, he was sure that it would be more reasonable to ask the first gentleman they met in the streets to institute an inquiry into a case of the presumed unseaworthiness of a ship than to ask an underwriter, because any banker or trader could do it without raising a suspicion as to his motives or damaging his business prospects; whereas the underwriter who did so would expose his conduct to misconstruction, and forfeit all his chances of doing business in future. The divergences in different load-lines were made very much of by those who opposed his views, and the difficulties attending his proposal were said to be so great that it could not be carried out. He granted the difficulty, but denied that it was insuperable, and asked what good work had ever been done that was not difficult. What he wanted to do was not to hamper the honest shipowner who wished to load his ships so that they might make their voyages in safety, but to meet the case of those—not so few in number, he was sorry to say, as some hon. Gentlemen supposed—who loaded a ship with the definite purpose that the load should sink the ship. The real practical difficulty was not in fixing upon a proper load-line so much as that those men were resolutely bent on shirking any such line at all, with the view of loading their ships just as they pleased. In insuring a house the policyholder was comparatively weak and the insurance office strong; whereas in the case of ships the party insuring was frequently much stronger than the underwriter. The man insuring a house must do something which involved imminent risk of detection or exposed the lives of his own family before he could cheat the insurance office; but the man who insured an unseaworthy ship need do nothing. Doing nothing was the essence of the offence. He had nothing to do but to neglect the ship, and she would inevitably sink to the bottom. Again, if a house was burnt down and there was suspicion of fraud, the witnesses were generally on the spot, and could easily be examined; whereas, when a ship was lost the witnesses might all be at the bottom of the sea, or, if saved, be at the other end of the world. There was no analogy, therefore, between the two cases, and it would be more reasonable to expect a stranger to investigate a particular case of shipwreck than an individual underwriter. The remedy he proposed was a compulsory survey of unclassed ships. He insisted on the imperative necessity of having ships that had run out all their various grades of classification properly surveyed before they were allowed to go to sea with valuable lives on board, and also of putting some restraint on the homicidal cupidity of those who overloaded ships. All shipowners were not guilty of those practices; the great majority, indeed, loaded their ships with due regard to safety, and did their best to keep them afloat. The hon. Member for North Durham (Mr. Elliot) had a large number of ships between the Tyne and Thames since 1859, and these vessels had been running rapidly backwards and forwards ever since. In the case of those vessels, though the voyage was a dangerous one, and they were at sea three-fourths of the year, there had been no casualties and no lives lost in the whole period of 12 years, because they were never over loaded, were well repaired, and properly looked after. If the same treatment were applied to other vessels they would have similar good results. Indeed, with seaworthy ships and no overloading, they might travel by water with as perfect safety and even greater than by railway. He could give the House another fact, which was still more encouraging. In 1860 the firm of Anthony Gibbs and Co. entered into a contract with the Peruvian Government for guano. At first the casualties among their ships were frequent, owing to the absence of any proper system of survey; but at length Mr. Stubbs, the head of the firm at Lima, made an arrangement with the Custom House officers of that port not to issue clearance papers to the captain of any ship, unless he produced a certificate from their surveyor to the effect that the ship was not overloaded. Now, what was the result? Before the introduction of that rule the casualties averaged two per week, though the number of vessels loaded per annum was less than 400; but after the rule had come into force, during the four years that came under the observation of his informant, living at Callao, not a single one of the ships foundered, and the average even of trifling casualties was only 2½ per cent. The arguments in favour of the Bill being so irresistible, what were the objections to it? He would quote those that were advanced last year by the hon. Gentleman (Mr. Shaw Lefevre) whose duty it then was to reply to him on the part of the Government. The first objection was, that to interfere in the way he proposed would destroy the responsibility of the owners of vessels. He would reply that at the present moment no such responsibility existed. Except in the case of the *Sea Queen*, it would be found that official inquiry had never followed the loss of any merchant vessel. The second objection was, that by rendering compulsory the survey of unclassed ships only, they would recognize private institutions—as Lloyd's. Certainly it would be equivalent to the recognition of private enterprize, and it seemed to him that the State ought to be glad to recognize it wherever it was of so beneficial a character, and ought to rejoice to know that half the task of providing for the safety of our sailors was already accomplished. The third objection was, that it would require an army of surveyors. Now, 27,000 vessels were registered in English ports, of which 13,000 were in Lloyd's book, and were annually surveyed, the work being done by 39 surveyors, who gave the whole of their time to it, assisted by 16 who were partially employed. If they were to make the necessary deductions for passenger vessels, the mail boats, the Inman, Cunard, and Peninsular and Oriental boats, and the ships built during the last five years, all of which would not require to be surveyed, he found that the whole number of surveyors that would be necessary to carry out the Bill was 17, and he had been told by good authorities that even that estimate was too high. The next objection was, that it would cost an immense sum annually—about £500,000. Lloyd's Committee for registering ships was started without capital, adopting a scale of fees which should make their operations self-supporting; and both owners and builders of ships were glad to have their ships surveyed and classed at Lloyd's. The business of the registering committee succeeded so well and the fees came in so fast that the salaries were raised all round; and still in one year the society had a large surplus that was now in the bank, being literally at a loss what to do with the money, because they had no proprietary and no subscribed capital. He did not ask the Government to do gratuitously for the imprudent shipowner what the prudent one paid to have done for him; and his system, he believed, could be made not only to pay for itself, but to yield a large balance to be handed over to the Chancellor of the Exchequer.

The last objection was, that the Bill would be an undue interference with the rights of individuals.

Mr. SHAW LEFEVRE said, the hon. Gentleman was mistaken. He never denied the right of Parliament to interfere, as it did in the case of mines; he only questioned the expediency of interference.

Mr. PLIMSOLL: Well, at any rate the objection had been adduced, and therefore he desired to point out that, since the State claimed the right to supervise the erection of houses, the arrangements in manufactories, the ventilation and safety of mines, and a thousand other departments of private enterprize, there could be no valid reason why it should leave the lives of our sailors to the mercy of mercenary and reckless shipowners. There could be neither reason nor justice in allowing a man at Hull or Newcastle to buy a ship so rotten that out of a diameter of 16 inches only four were sound wood—so rotten that the sails split at the first breath of a gale; so rotten that you could drive a table knife up to the handle in its hull, or the end of your umbrella in the planks. There was neither reason nor justice in permitting to buy a worn-out ship at the rate of 4*s*. a ton—whereas the price of a new ship was from £10 to £14 a ton—and then allowing to tar it over and to send it to sea in spite of the earnest remonstrances of its former owner, until it foundered with the lives of all the men who had been cajoled on board. But more than that, a vessel might be a stout one, but after the crew had signed the articles the owner might so overload it as to leave a freeboard of only 20 inches instead of five feet. Was it just that the crew should, nevertheless, be compelled by law to put to sea in her, or, if they refused, be liable to imprisonment by a magistrate? Yet, when Parliament was asked to devote a little of its time to delivering from death so useful and deserving a class of our population, they were told by a Member of the Government that they must not presume to check the homicidal cupidity of such shipowners, because it would be an undue interference with private rights. He maintained that it was not an undue interference, on the contrary, that it was long overdue; and it was a shame, and a disgrace and reproach to the Liberal party that, after 40 years

of predominance and power, this thing yet remained to be done. Out-of-doors one might find everybody wishing him God speed in his present efforts; but when he came into quarters nearer home there were people who sought to stifle inquiry and to avoid change. He could not, however, make his appeal to the Liberal party exclusively; indeed, he had been told by a working man at Manchester that all the measures that had been passed for the social improvement of the people were owing to the Conservatives. He would ask the good and just men on both sides of the House alike to give their support to this Bill. If they rejected it, or even postponed it for a year, they knew, on the authority of the Board of Trade, that some 500 or 600 lives would be lost. On the other hand, if they now adopted his proposal, the storms of winter might return, but our brave sailors, in sound and seaworthy ships, would be able to battle successfully with the tempest that would otherwise have overwhelmed them in death; and, when they made the desired port in safety, they would accord to that House the blessing of those who had been ready to perish. The duty of visiting the widow and the fatherless was enjoined by Divine authority; but he hoped the House would perform the higher, the nobler, and still more sacred duty of saving the wives and children of our English sailors from the sad fate that now often befell them.

Mr. WHEELHOUSE, in seconding the Motion, said, he did so on perhaps even broader grounds than those urged by the hon. Member for Derby who brought if forward. He maintained the necessity of saving human life whenever and wherever it was in danger. If mines, buildings, and even cabs required competent supervision, it was ten times as necessary in a case like the present. The fact that some vessels which had been condemned had made their voyages in safety proved nothing against the general argument. If, as practical men, they took the wreck chart and went over the whole North and North-East Coast of England, they could have no doubt whatever that it was high time something was done to save the lives of those who navigated those waters. He knew the dangers of that coast, and that it was because ships were unclassed and their seaworthiness not looked into that so many of those afflicting casualties occurred. That was not a question of shipowners or shipmasters, since persons in such positions might do pretty well as they pleased about such ships; but of the safety of the working sailor, who was now obliged, under pain of imprisonment, to go to sea in a vessel which he perhaps, subsequently to his having signed articles, discovered to be totally unseaworthy. That was the state of the law and of the fact; and he contended that there ought to be some person in authority whose duty it was to survey ships and see that they were in proper condition before they went to sea. He most cordially supported the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Plimsoll.*)

MR. EUSTACE SMITH, in moving that the Bill be read a second time upon that day six months, said, his object was not to deny that something ought to be done, or that ships sometimes went to sea in an improper condition or overloaded; but to show that the means proposed by the hon. Member (Mr. Plimsoll) were totally unsuited to the purpose he had in view. That was not a question of police regulation or of sanitary law. The point which he wished to bring before the House was this—that any man who, either through negligence or an sea undue desire for gain, sent a ship to in an unseaworthy condition, or anyone who loaded to such an extent as to render a ship unseaworthy when loaded, was committing a crime before God and man. That was a matter that ought to be dealt with by the criminal law of the country. It was a reproach to that law if it was unable promptly and effectually to punish such an offence, and the sooner it was altered the better. He objected, however, to handing over the inspection of these matters to a number of irresponsible surveyors, and leaving them to give the shipowner a bill of indemnity under which he might commit an offence against the law. If this Bill should pass into law, the logical thing for the hon. Member to do next Session would be to bring in a Bill for the protection of life on shore, the Preamble of which should state that, whereas it was expedient to provide for the greater security of the lives of men employed on shore, and whereas many crimes were committed, be it enacted that no man shall leave his house after dark unless he can get a certificate of good character from the Zoological Society in Regent's Park, the Horticultural Society in South Kensington, or the policeman round the corner; but that if he obtained a certificate from two societies having no legal status in this country, he might do as he liked. That Bill would violate the first principles of English law by putting the innocent in the same position as the guilty, for the hon. Member admitted that it was only a small minority who sent their ships to sea in the condition complained of. Much indignation had been expressed lately among the constituencies against particular Acts which placed a certain class of the community under the surveillance of the police, before there was any evidence that they intended to commit an offence against the law. It would be a still greater outrage than that to place under the surveillance of the police, without any evidence on which to go, a class who, whatever the faults of individual members of it, had raised the Mercantile Marine of this country to the greatest position of any Mercantile Marine ever known. He considered the Bill as singularly inopportune at the present time. Two things were necessary to justify the kind of legislation now proposed. One of them was that the offence was increasing, and the other that there were no means of dealing with it. On this point he might refer to Lloyd's returns for the last 10 years. During the last five years, with the exception of one year, the number of wrecks and casualties had been below the average, and in the five preceding years there was only one exception in which it had been above the average. The number of lives lost in the last year was 20 per cent less than the average, and in the first half-year of 1870 the number was below the average. It had been stated that many lives were lost from ships breaking up when driven ashore in consequence of the badness of those ships. Now, the fact was that the number of lives lost had decreased, while the number saved had increased, leading to the conclusion that the ships that had recently been driven on shore were in a better condition than the ships which were driven ashore formerly. Another reason for believing this to be an inopportune time for dealing with the question was that the Government had introduced a measure which proposed to deal with it in a proper way, for it proposed to deal with the crime under the criminal law. Any ship reputed to be unseaworthy would be liable to inspection and detention. Then the draught of water was to be taken, thus affording means of further investigation. He trusted that one result of this discussion would be that Her Majesty's Government would show increased zeal in carrying their Bill through the House; that further delay in legislating upon the question would be prevented, and thus that the shipping interest would be saved from being made the victim of crude amateur legislation. Not only did he object to the principle of the present Bill, but to the machinery proposed to carry it into effect, which was singularly inefficient. With respect to Lloyd's Register, it was conducted by a committee in no way responsible to the public. Nothing was known of the constitution of that committee, or the grounds on which its decisions were based, and there was no appeal from those decisions. He thought it most undesirable to hand over the shipping for inspection to a body over whom the public had no control. With regard to the Liverpool Association, which was a rival association, still less was known. And now the House was asked to give a legislative sanction to those two irresponsible bodies, when the Tyne, the Clyde, and the Wear were outvying Liverpool in the building of ships. Then, with respect to placing the matter in the hands of Government Inspectors. No doubt the business of the Admiralty generally was well conducted; but there was a recent instance in which they had been unable to calculate within two feet the draught of a ship that was sent to sea. In addition to the Bill being inefficient he believed that its results would be most injurious. The hon. Member, in drawing his Bill, had evidently met with one difficulty, and that was the mode of dealing with foreign as well as with British ships. There would be a great difficulty in placing them in the same category. If any difference was made in favour of foreign shipping, as compared with British shipping, the result would be that British shipowners would sail their ships under a foreign flag, in order to enjoy the advantages offered to foreigners and to evade the regulations made for British ships; whereas if both British and foreign ships had to submit to these regulations, involving, perhaps, considerable expense to the shipowner, we must expect that foreign Governments would imitate our example, and our shipowners would have to submit to exactions of all kinds in foreign ports, which would be levied under regulations nominally for the improvement of shipping, but really instituted in order to put money into the pockets of some official. Then, with respect to iron ships. Until very recently there had been no classing of these ships. The rules at Lloyd's had not been in existence more than 12 months, and if Inspectors should be appointed they would merely act upon their instructions, and not show any desire to improve them. The fact was that almost every improvement that had taken place within the last 20 years had been violated. On looking at the Bill of the hon. Member for Derby (Mr. Plimsoll) anyone would imagine that there were no ships unclassed. Now, the fact was that many of our large steam ships were not classed either at Lloyd's or anywhere else. One of the largest lines of Australian vessels had not a single ship classed. He knew of one ship which went to India for 12 years without being classed. When Lloyd's rules were altered that vessel was classed, and she was sold to the Government of India, after being in service some 20 years. He did not think that such a Bill as this could ever pass into law. The hon. Gentleman had alluded to the case of the *David Malcolm;* but he understood there was a sufficient answer to the whole matter in the hands of the Board of Trade, and if the hon. Gentleman had persevered in his Question the other night on that subject, instead of withdrawing it then and making an *ex parte* statement now, he might have been better informed upon the circumstances of the case. Then the proposed regulations respecting coal were absurd, because it was well known that a ship of 1,000 tons was safer with 1,250 tons of coal on board than she would be if she carried 1,000 tons of iron. He did not believe the Bill would receive the sanction of the Legislature, inasmuch as it was inadequate to prevent evils which it proposed to check, unjust in its operation, inopportune in point of time, utterly inefficient in its machinery, andgenerally injurious to the shipping interest of the country. Under these circumstances, he begged to move that the second reading of the Bill be postponed until that day six months.

MR. RATHBONE, in seconding the Amendment, said, he was sure there was no Member of the House who would not greatly sympathize with those who had brought in this Bill, in their wish to prevent ships from being sent to sea in an unseaworthy condition. No body of men were so much interested in this question as the shipowners of our large seaport towns, like the one he had the honour to represent. On looking at the back of the Bill it would be found to bear the names of three hon. Members representing inland constituencies, which fully accounted for the ignorance it displayed of the practical working of maritime affairs. His objection to the present Bill, and the objection which he believed was entertained by all the representatives of large maritime constituencies, was that it would tend to increase the very dangers which it was intended to prevent. The Bill was called the Merchant Shipping Survey Bill; but its title ought really to have been—"An Act to oblige the Board of Trade to grant certificates which would enable dishonest and incompetent shipowners to carry on their trade without fear of consequences." Its provisions, if it were passed, would be complied with conscientiously by the fair-dealing and honest shipowners, for whose guidance, indeed, they were quite unnecessary, while they would only impede the good management of ships; but, at the same time, they could be most easily evaded by anyone who was dishonest enough to make it his interest to send unseaworthy ships to sea. The hon. Member for Derby (Mr. Plimsoll) had ridiculed the idea of their being any difficulty in finding any number of competent surveyors to carry out the the details of the Bill, and got over the difficulty in a very easy way by saying that there were many ships which would not require to be surveyed. The hon. Gentleman then alluded to all the large steamboat companies and their vessels; but he had forgotten—or, perhaps, he was not aware of the fact—that these steamboats were unclassed ships, and that therefore the Bill would apply to them as well as to the old rotten tubs which the hon. Gentleman has described. Was the hon. Gentleman aware of the immense temptation which the dishonest man or the man owning bad ships would be able to offer to the surveyors for the sake of getting them to grant him a certificate which would enable him to carry on his trade with impunity? Did the hon. Gentleman know that in a steam vessel of 2,170 tons every foot of immersion represented 225 tons of cargo carried, and taking only £6 a ton for a round voyage to India and back, it would be seen that in a single voyage the dishonest shipowner who could get his load-line placed one foot above what it ought to be would be able to make a profit of £1,200 or £1,300 more than he would otherwise obtain, so that he would be able to pay very handsomely to any surveyor who would accommodate him with a dishonest certificate. Then in the 3rd section of the Bill it was provided that the surveyor was to take into account the nature of the cargo and of the voyage to be made by the ship, and, of course, the survey was to be made before the contract for the voyage was entered into. But anybody who had any practical experience in shipping matters was aware that the shipowner very often did not know an hour before he made his contract and settled his party to what part he was going to send his ship, or what would be the nature of her cargo. He very often did not know the nature of all the cargo until after the contract was made, and if all the trouble of making the survey was to be taken then, and the whole trade of the country was compelled to submit to such an arrangement, the difficulties of carrying on that trade would be simply enormous, and good shipowners would be tempted to place their ships under foreign flags to escape such a burden. Any shipowner knew that he himself, until he had experienced the working of his own ship, could not decide to what depth he could safely load, nor what kind of cargo he could safely put on board, and the effect of this Bill would be simply this—that the surveyor would have to take the advice of the shipowner himself on this point, and that survey would therefore amount to absolutely nothing. No doubt that clause was inserted in the Bill to meet the objection entertained last year as to the question of the load line. On that point of the load-line the hon. Gentleman had quoted the Liverpool underwriters as entirely agreeing with him; but he (Mr. Rathbone) would first read a paragraph from their report of 1870, to show what importance they attached to it. The report stated that—

> "A Motion was made by Sir John Pakington for a Commission of Inquiry on the subject, and 'A Bill to provide for the Greater Security of Life at Sea,' was brought in by Mr. Plimsoll and Mr. Wheelhouse; but the only result was a vague discussion of the subject. It is probable that the matter will again be brought before the House of Commons in the next Session. The difficulty of defining the proper load-line for a ship, especially when regard is had to difference of class, of cargo, of season and of length of voyage, is already observed to be much greater than was at first anticipated. It is now admitted that no simple rule can be made applicable with justice to all vessels."

If the load-line were not effectual for the purpose for which it was intended, it would be simply dangerous, and it was evident that what might be quite safe and proper for a vessel three years old might be very dangerous for a vessel four years old, still more dangerous for one five years old, and so on in an increasing proportion. Any of the restrictions given under this Bill which were not efficient, would have the effect of lulling the vigilance of all concerned, and of removing responsibility from those who alone could take the necessary precautions for the safety of lives and vessels, and in that way every inefficient restriction would reduce the very safety which was sought to be gained. There was another clause in the Bill, in which the hon. Gentleman provided that a shipowner should not be allowed to repair a ship if it was imprudent for him to do so. He (Mr. Rathbone) only wished the hon. Gentleman could give them a rule by which they would be able to decide that point. To repair a vessel was a mere question of cost of putting in a sufficient amount of planks, beams, knees, &c.; but many shipowners had often found to their cost that when they had once begun repairing they had had almost to rebuild a ship. In his opinion, the measure now under discussion was not calculated to effect its object, and was likely to increase the evils it was intended to prevent. The legislation required was such as would increase the responsibility of the shipowners, and not relieve them from it altogether, as this measure was calculated to do. If the Bill were carried, the public and the underwriters would be lulled into a false security, and would rely upon anything rather than their vigilance to guard against danger. The measure of the right hon. Gentleman, on the other hand, made it a misdemeanour for a shipowner to send to sea an unseaworthy ship, relieved sailors from the obligation to sail in such a vessel that now existed, and required that a proper record should be kept of each ship's draught of water, so that the necessary evidence might always be at hand for bringing the law home to the guilty. For the reasons he had given he begged to second the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Eustace Smith.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. HENLEY said, the Bill required very careful consideration to see how far it justified the grounds on which it had been brought forward. In the first place, was it brought forward at an opportune time? Hardly; for they had already before them a Bill of the Government on shipping matters containing 600 or 700 sections, and treating of everything, and yet the present Bill was introduced, like Smellfungus, to do something else besides. The hon. Member for Derby (Mr. Plimsoll) ought to have waited to see if he could not get those provisions which he thought essential incorporated with the Government measure. A leading feature in this Bill was its great extent—it dealt with every boat on every tidal river in the United Kingdom, for the Courts of Law had recently decided that the word "ship" included every boat propelled by anything other than oars alone, so that every boat which had the means of shipping a mast and sail would come under the provisions of this measure. Then the proposed survey was to be made annually, for ships were only to be certified for 12 months, and the expense that would thus be involved would be a very considerable tax upon the shipowners every year. The certificate, however, was only to deal with the hull and rigging, and would have nothing to do with sails, anchors, or cables, which were of equal importance with the other parts of the vessel; and it seemed to him but a queer kind of provision for the saving of life which would allow a ship to go to sea without any sails, anchors, or cables. As to the load-line, the Bill was not confined to unclassed vessels, but extended to all, and the load-line might be fixed upon a principle which applied very well to one kind of vessel, but which would not apply at all, or apply very badly to another kind, and as many people might be sent to "Davy Jones's locker" through that as were sent there at present. The next point in the Bill was a very curious one, seeing that the measure was brought forward on the plea that it would tend to the saving of life. Whenever Manchester was a little dull, the case of the Liverpool shipowners was immediately brought forward, and every Manchester man vehemently cheered everything said about Liverpool. But the people in the country said this—not that he should think of making such a statement himself—that this was nothing more than a "humanity dodge" to set up a monopoly for inland coal at the expense of seaborne coal. It was singular that the Bill should give some colour to that insinuation by placing restrictions upon ships bringing coal to the Thames which were not to be enforced in the case of their taking that commodity to Hamburg or Havre. With respect to the alleged overloading of vessels, it had been shown by the Returns for 1869 that, of 143 vessels which had foundered or stranded off the coast, the very large proportion of 55 were in ballast. That was a fact that went far to shake the general opinion that the loss of life at sea was occasioned by overloading vessels. He himself thought that Government interference very often did more harm than good. No one could look back for the last 30 years without connecting the constant increase in the number of wrecks with the continual interference of Government in maritime affairs; but still, whatever ought to be done in legislating on this subject had better be done in the Bill introduced by the Government; and, perhaps, it would be better still to leave the responsibility where it was at present, and not have any interference at all. No doubt it was a great hardship to compel any man who honestly believed that a vessel was unseaworthy to go to sea in that vessel; but, on the other hand, care ought to be taken not to open the door too widely to allowing men to refuse to make voyages on the mere pretence of such an allegation, which it would take so much trouble and inconvenience to prove or disprove.

MR. NORWOOD complained of the unreasonably strong and extravagant language of the hon. Member who introduced the Bill (Mr. Plimsoll), not only in that House, but out-of-doors. At a meeting in Manchester on the 11th January, for instance, the hon. Gentleman spoke of—

> "Some black-hearted villains who bought and owned ships and insured them not for three-fourths of their value, which was generally considered the proper thing, but for twice and even three times their value" and who then "set their wicked arts to work to accomplish the wreck of their ships in order to get the insurance money."

The hon. Gentleman went on at the same meeting to say that that kind of thing happened every day. His statements of fact were equally extravagant. The statistics showed that the loss of life around the coasts of the United Kingdom caused by ships foundering at sea—and this applied essentially to the question of overloading — amounted, in 1870, to 435 lives in 81 vessels lost; but 53 of them were fishing boats and small craft, ranging from 11 to 80 tons, employed in specially hazardous trades, while, about one-third were in ballast, and not carrying cargo, when the accidents occurred. So, with regard to collisions, strandings, and other casualties round the coasts of the United Kingdom, fully one-third of the ships were of small tonnage and were not carrying cargo, but ballast, when accidents happened to them. The danger might, perhaps, be lessened if an uniform load-line could be fixed; but this was impossible with the many varieties of craft, both in build and rig, now used in the Mercantile Marine, and the Bill made no reference to the necessity of a minimum as well as a maximum load-line. His main objection to the Bill of the hon. Gentleman was that it would, by placing shipowners under an increased amount of surveillance, diminish their personal responsibility, and so render human life less safe at sea than it was at present. There was too much of that kind of Government interference in the Merchant Shipping Acts. The fact was that the Bill was promoted in the interests of the Register Books of Lloyd's and the Underwriters' Association of Liverpool, and those two bodies were totally irresponsible. If Parliament intended that there should be a general survey of ships, such survey must be made by a Government Department without any distinctions whatever; but if such a system should be adopted, the Board of Trade would be called upon to survey 21,000 ships of a considerable size, to say nothing of small smacks and boats. He considered the Bill to be entirely impracticable, and he indignantly repudiated the wholesale charges which had been made against shipowners. There was now in the possession of hon. Members the Merchant Shipping Code, which had been recently introduced by the Government, and as that measure would, in his opinion, deal effectually with the questions involved in the proposal before the House, he hoped the hon. Member for Derby (Mr. Plimsoll) would not press his Bill to a Division on the Motion for second reading.

Sir GEORGE JENKINSON said, he wished to call the attention of the House to some documents which he had received from Sir Arthur Kennedy, the Governor of the West Coast of Africa. That gentleman had, during the last 12 months, sent him, by almost every mail, accounts of the overloading of steamers and vessels leaving the West Coast of Africa for this country, and especially by deck-loads. The documents he would refer to dealt only with part of the question, and in passing he would express a hope that the measure which the Government had in hand would contain a provision in reference to the subject of overloading by deck-loading. The first of these documents was a declaration, signed at Sierra Leone, in January last, by the master of a vessel, who stated that during a gale which he encountered in December a great part of his deck-load was washed overboard, and, in order to save his ship, he was compelled to cast the remainder into the sea. The list of goods lost included 50 casks of beer, 16 cases of matches, 7 casks of beer, 20 boxes of pipes, 2 crates of earthenware, 2 drums of paraffin, and 1 cask of varnish. There was also a large quantity of gunpowder. The Governor appended to the declaration the remark that this vesssel was of only 138 tons register, manned by a crew of nine men, the accommodation provided for whom was unfit for a dog, for if they escaped drowning they were almost sure to die of dirt and exposure. The other document was a report, dated January 24, 1871, in reference to the arrival of a vessel of 898 tons; amongst the cargo of which were 1,182 casks of palm oil, 2,019 boxes of kernels, and other boxes and parcels amounting to a total of 5,201, besides 1,109 pieces of ebony. Sir Arthur Kennedy stated that this was one of five monthly steamers sailing between West Africa and Liverpool, and carrying dangerous deck-loads. He thought there could be no harm in allowing the Bill now before the House to be read a second time, so that it might be considered in Committee, and then if the Government measure was found to be more effectual, the necessity for this Bill would cease. It was the duty of the Government and the Legislature to interfere for the protection of sailors, and he should therefore vote for the second reading of the Bill.

Mr. CHICHESTER FORTESCUE said, he had listened with great interest to the discussion on the Bill of the hon. Member for Derby (Mr. Plimsoll), and he thought it was calculated to bring out the real state of the case, and greatly to assist the House in giving a vote upon this very interesting though not very easy question. He entirely agreed with those who recognized the humane motives which had actuated the hon. Member in bringing the measure before the House; but their business was simply to consider whether the inconveniences which this Bill would inflict would not be greater than the advantages it could attain; and whether there were not better means of attaining the end which the hon. Member had in view. In his opinion the Government had already placed before the House better means of attaining the object, so far as the object was practicable. After giving his best attention to the subject, he was not able to advise the House to allow this Bill to be read a second time; nor was he prepared, on the part of the Government, to undertake the enormous and hardly profitable labour which the Bill proposed to impose. The hon. Member described his Bill as a limited one; but his opinion was, that if it was to do any good at all, it would involve an enormous amount of Government interference with the trade of this country. Under this Bill the Board of Trade would have to be for ever surveying every vessel in the United Kingdom, and not merely English ships, but foreign ships entering our ports. An annual survey would be by no means sufficient, because vessels were continually changing their cargoes and their voyages. As to the load-line, he was told, upon authority which he could not doubt, that no general or abstract rule could be laid down on the subject, and consequently special and numerous surveys would be necessary for that purpose also. In the 5th clause provision was made for "judicial surveys," to be made upon the application of any interested party; and in a further part of the same clause it was proposed to constitute the local Courts of Admiralty in some sort local Boards of Trade, making them administrative bodies. Under this arrangement anyone who considered a ship to be unseaworthy could put the whole machinery of the Court in motion for the survey, detention, or, if necessary, breaking-up of a ship. Such stringent provisions would require the strongest case to justify their adoption. He did not desire to lay down any absolute doctrine upon the subject, or to bind the Government by any theoretic principle to interfere or not to interfere in these matters. Such questions should be decided on their merits; but he contended that, before the House adopted a costly scheme which would cause such vexatious interference with trade, they must be well satisfied that there were no other means of gaining the same object as that sought by the hon. Member. There had been a tendency to assume that it was enough to read statistics of loss of life at sea, and to submit this Bill as a remedy. But even supposing the measure to be accepted, and to be admirably and successfully administered, how many causes of loss of life and property would it meet? It was difficult to state the number of those causes. The hon. Member admitted, however, that the Bill did not deal with some of the most important—as, for instance, the construction and manning of ships, and the stowing of cargoes, which were matters of vital importance. There were also such everyday causes as collisions, carelessness and ignorance of navigators, to say nothing of the perils of the sea, which no Bill of this kind could meet. The question, therefore, naturally arose, whether it was worth while to employ "an army of officials" of high character and at great cost, in the hope of preventing a few out of a very limited class of the accidents and disasters which produced loss of life and property at sea. As he had already said, in his opinion the Bill which the Government had placed upon the Table would meet the necessities of the case far more effectually and upon a sounder principle. That Bill contained several most important provisions in relation to this very subject. First, it provided that before a ship left port her draught of water should be carefully ascertained, in order that facility might be afforded in case of subsequent casualty, for judging as to whether she was or was not overloaded. In the next place, it made the sending of a ship to sea in an unseaworthy state a misdemeanour, thus imposing a serious responsibility upon the shipowner. The Bill would also enable any sailor to refuse to proceed with a ship in an unseaworthy condition, and to demand an official investigation by the surveyor of the Board of Trade. Lastly, the Government Bill would provide that any person having, or supposing he had, knowledge of a ship being unseaworthy, might demand and procure a Board of Trade survey. The difference between this proposal and that of the hon. Member for Derby (Mr. Plimsoll) was, that whereas the hon. Member wished to impose upon the Government a compulsory and indiscriminate survey, with all the inconveniences consequent thereupon, the Government themselves thought it best to place the power of demanding the surveys in the hands of those most nearly interested in the safety of the ships. These being the main, and, as he thought, satisfactory, provisions of the Government measure, he could not advise the House to read the Bill of the hon. Member a second time; and, therefore, in case a decision was persisted in, he should be compelled to enforce by his Vote the opinion he had expressed in regard to it.

SIR JAMES ELPHINSTONE expressed his approval of the safeguards which the right hon. Gentleman (Mr. C. Fortescue) had described as being provided by the Government Bill. He hoped the right hon. Gentleman would take the advice of some of his Friends and split the Bill, giving some of these clauses in a Bill by themselves, so that they might be certain that a part of the Bill might pass this year, and that, for the sake of humanity, the public might have the advantage of such clauses. The causes of the loss of ships were principally five—unseaworthiness, age, or other causes, overloading ships, underloading ships, and want of harbours of refuge. He thought it a great pity that any element of bitterness should be imported into this subject, which was one of great importance, and one that concerned the lives of thousands of our best seamen. The House ought to consider it with as much calmness and deliberation as possible, for he was quite certain if a Commission of naval men and shipowners were appointed they would find means by which the problem might be solved. He urged that the Bill should contain a clause for providing that vessels carrying deck-load should be subject to a special survey. With regard to harbours of refuge, that question had been considered by the Commissioners on that subject; but from the niggardly policy of this country their suggestion, that harbours of refuge would be the best means of saving a great many lives, had not been carried out. The great loss of life on the Eastern Coast arose from collisions. Ships were collected to the number of 500 sail at Beachy Head, and there was great confusion among the ships, which ended in collisions. The wrecks were not to be seen at that place, because the unfortunate ships struck on different points of the coast, and it was not to these different points of the coast that the danger attached, but to the salient points where the danger occurred. The question of the fault of captains was a serious question. He had taken pains some years ago to endeavour to persuade the Government to establish a great naval college, where the captains of merchant ships should meet with officers of the Navy and together learn the elements of their profession. When he was in great hopes that that plan would be adopted, it was laid aside. It was a matter of serious importance that steps should be taken to improve the education of the masters and officers of ships. In looking over the number of ships lost in foreign countries he found that the number of wrecks in connection with which the commander had been deprived of his certificate had been very great indeed, and the proportion in which the certificate had been returned had been very small.

MR. STEPHEN CAVE said, there was no doubt that many ships were lost through their unseaworthiness. He thought that any man who sent a ship to sea in an unseaworthy state for the purpose of obtaining the insurance on that ship was more guilty of cold-blooded murder than most of the criminals who were sent to the gallows; and he wondered how a shipowner who made sailors run even the smallest risk of that sort could sleep quietly in his bed when a gale of wind was blowing. He did not quite agree with the low value the hon. Member (Mr. E. Smith) had attached to the classification of ships. No doubt there were many good ships which were not classed at Lloyd's, or elsewhere, especially those which belonged to persons or companies whose name alone was a guarantee. But there were many other vessels which found the disadvantage of the want of character, in the case of insurance, or charter. When this matter was brought before him in former days, when he was in Office, three principal remedies used to be suggested—the load-line, the making this practice of sending ships to sea in an unseaworthy state a misdemeanour, and the limitation of insurance. [Mr. SAMUDA: Hear!] He knew the hon. Member had a strong opinion upon this point; but he (Mr. Cave) had come to the conclusion that such limitation would be constantly evaded. The other two points were dealt with in the Government Bill. As to the general question whether the Government should lay down strict rules as to matters of detail, the official experience he had had convinced him that the attempt to do so would defeat their own purposes, because it would relieve shipowners from responsibility. When particular modes of construction were insisted on a lower level was frequently established—the minimum was apt to become the maximum. It would be unwise to prohibit deck-loads in all cases; and as to what had been said about carrying dangerous cargo, such as petroleum, on deck, it was probably the safest place for it. He thought the proper principle to act upon was to leave the fullest freedom to all parties, and then, judging by results, to punish with the severest penalties those who were guilty of the offences in question. There were so many reasons why ships were lost besides those specified in the Bill, that he did not think the Bill was sufficiently complete to answer its purpose. He thought that more than half of the disasters to ships were attributable to carelessness, drunkenness, and want of discipline. He would say one word on the somewhat sensational cards, circulated by the promoter of the Bill, about working men on board ship. Of course, a sailor was a working man, though he would probably prefer being called a sailor; but the object of those cards seemed to be to convey an impression that sailors were neglected by the Legislature. Nothing could be farther from the fact. Acts had very recently been passed in Parliament for the amelioration of their provisions, accommodation, medicine, lime juice, and many similar objects. He thought it would be for the convenience of the House if the hon. Member withdrew his Bill, and moved Amendments or additions to the Bill of the Government on those points which he considered defective.

MR. T. HUGHES reminded the House that every speaker had admitted the need of legislation. But they were told by the right hon. Gentleman who had charge of the Merchant Shipping Bill to rely upon the clauses on this subject contained in that Bill. Now the Bill was one of 700 clauses, and he asked if there was any Gentleman in the House except the right hon. Gentleman himself who expected that the Bill would pass into law this year? [Mr. CHICHESTER FORTESCUE: Yes.] Well, at any rate, he wished to have two strings to his bow in this matter. He (Mr. T. Hughes) pointed out that in the case of a misdemeanour for sending a ship to sea in an unseaworthy state the matter was to be enforced in one of the Superior Courts, which he declared to be a farce. He read extracts from a recent report of the Associated Chamber of Commerce to show that provision should be made for a maximum load-line to steamers, and he also read resolutions of the said Chamber to show that the Chamber approved of both principles of the Bill. Similar arguments had been used in this case by shipowners as had been used against the Factories Act and other measures, which were aimed against similar abuses in other trades. He hoped his hon. Friend (Mr. Plimsoll) would withdraw his Bill, if the President of the Board of Trade would undertake to introduce as a separate Bill those clauses of the Merchant Shipping Bill which related to this subject. But if the right hon. Gentleman would not undertake to do so, he (Mr. T. Hughes) would vote for the second reading of his hon. Friend's Bill.

SIR JOHN PAKINGTON said, he had brought the subject before the House last year, and he felt bound to express his deep regret at the shameful manner in which life and property had been sacrificed by the overloading of ships. If the hon. Member for Derby (Mr. Plimsoll) divided, he (Sir John Pakington) should go with him into the Lobby; not because he supported every part of the Bill, but because he thought an effective remedy needed to be applied. He regretted to say that he listened without any satisfaction to the speech of the right hon. Gentleman opposite (Mr. C. Fortescue), who addressed the House in a Board of Trade tone. The House was under great disadvantage through the frequent changes at the Board of Trade. As now constituted, that Board had no experience on this subject. The right hon. Gentleman, after the manner of the Board of Trade, was too much in favour of his big Bill, which evinced great anxiety about the trading interest, but scarcely contained a word about the wrecks that occurred around these coasts from year to year. Thousands of our fellow-citizens were annually lost through the cupidity of shipowners and through a want of proper care and vigour on the part of the Executive of this country. In his opinion there were only two ways in which this matter could be satisfactorily dealt with—one, by the Government undertaking to deal with the subject as a Government, and the other by doing that which he suggested last Session—namely, addressing the Crown for a Royal Commission of Inquiry on this subject. He hoped the right hon. Gentleman would accede to the suggestion of the hon. Gentleman who spoke last and of his hon. Friend the Member for Portsmouth (Sir James Elphinstone), by introducing as a separate Bill those clauses of the Merchant Shipping Bill which related to this subject. He thought all parties would give to such a measure the fairest possible consideration. If the right hon. Gentleman would not do so, he (Sir John Pakington) gave Notice that he would repeat his proposal for a Royal Commission of Inquiry.

Mr. CHICHESTER FORTESCUE said, he was quite ready to bring in as a separate Bill such of the clauses of the Merchant Shipping Bill as had been referred to, if the latter measure should not receive the sanction of the House.

Mr. GRAVES said, he thought that the measure which had been submitted to the House had met with the condemnation of hon. Members. A great many arguments had been put forward in favour of legislation, but not in favour of the measure now proposed, which he believed to be one of the most unworkable and impracticable propositions that had been brought before that House since he entered it. The proportion of losses to tonnage was 4 per cent in England, 4 per cent in Germany, 3 per cent in Sweden. In these countries there were no surveys; but in France, where the survey system existed, the proportion was 5 per cent of losses, and the Chambers of Commerce had memorialized the Government to do away with the system. The question of the proper load-line was a very difficult one, and had thus far puzzled the most scientific shipbuilders, because what would suit one class of ship would not suit another, and what would suit one class of cargo would not suit another. When a practical solution of the difficulty was arrived at he would give it his best consideration, but he would not consent to an ill-conceived, impracticable proposal like the present. While he felt anxious for legislation, he could not support such a measure as had been placed before the House.

Mr. PEEL said, that his right hon. Friend (Mr. C. Fortescue) had been desirous to explain that he was perfectly ready to deal with this question this Session. If the whole of the large measure which had been alluded to could not be passed, his right hon. Friend would be prepared to eliminate those clauses of the Bill which referred specially to this subject, and to embody them in a separate Bill.

Mr. PLIMSOLL said, that, after the assurance just given, he would not press the Motion.

Amendment and Motion, by leave, *withdrawn.*

Bill *withdrawn.*

CHURCH RATES ABOLITION (SCOTLAND) BILL.

On Motion of Mr. M'Laren, Bill for the abolition of compulsory Church Rates in Scotland, *ordered* to be brought in by Mr. M'Laren, Mr. Graham, Mr. Craufurd, and Mr. Carnegie.

Bill *presented,* and read the first time. [Bill 52.]

LODGERS' GOODS PROTECTION BILL.

On Motion of Mr. H. B. Sheridan, Bill to protect the Goods of Lodgers against Distraint upon the Property of the Landlord, *ordered* to be brought in by Mr. H. B. Sheridan, Mr. Holms, Mr. Brogden, and Mr. W. M. Torrens.

Bill *presented,* and read the first time. [Bill 54.]

STEAM BOILER EXPLOSIONS.

Select Committee *appointed,* "to inquire into the cause of Steam Boiler Explosions:"—Committee to consist of Nineteen Members:—Sir Thomas Bazley, Mr. Tipping, Mr. Platt, Mr. Joshua Fielden, Captain Beaumont, Mr. Birley, Mr. H. B. Sheridan, Mr. Cawley, Mr. Lancaster, Colonel Gray, Dr. Lyon Playfair, Mr. Staveley Hill, Mr. M'Clure, Mr. Armitstead, Mr. Pim, Mr. Laird, Mr. Hermon, Mr. Miller, and Mr. Hick:—Power to send for persons papers, and records; Five to be the quorum.

PARISH CHURCHES BILL.

On Motion of Mr. West, Bill to declare and amend the Law as to the rights of Parishioners in respect of their Parish Churches; and for other purposes relating thereto, *ordered* to be brought in by Mr. West, Sir Percy Herbert, and Mr. Hughes.

Bill *presented,* and read the first time. [Bill 53.]

House adjourned at a quarter before Six o'clock.

HOUSE OF LORDS,

Thursday, 23rd *February,* 1871.

MINUTES.]—Select Committee—Board of Admiralty, *nominated.*

Public Bills—*First Reading*—University Tests* (26).

Second Reading—Provisional Order Bills (Committees)* (25).

Committee—Report—Princess Louise's Annuity* (20); Juries Act (1870) Amendment * (21).

Report—West African Settlements* (1).

DEFENCE COMMISSION—NATIONAL DEFENCES.

ADDRESS FOR RETURNS.

The Earl of CARNARVON rose to call the attention of the House to some points connected with the question of

National Defences, and to move for Returns, and said: My Lords, I shall have to crave the indulgence of your Lordships in bringing this subject under your notice, as I have been suffering from severe indisposition; and if it had not been that in my postponing the subject I might have put your Lordships to some inconvenience, I would not have attempted to deal with it. In the first place, I perhaps owe some apology to your Lordships that I, a civilian, should undertake, at this early period of the Session, to deal with military matters, when I see around me so many noble Friends on both sides of the House who are far more familiar with such matters and far more competent to deal with them. My excuse is that I shall not enter into any military technicalities, but shall, I hope, confine myself to points lying within the comprehension of all of us, whether civilians or soldiers, and in which, looking to the welfare and credit of the country, we have a common interest. It would, perhaps, be unfair to avoid all mention of proposals recently submitted to Parliament by my right hon. Friend the Secretary for War. In a certain sense, they appear to me to be in a right direction, and to remove some anomalies, while many of the details I heartily approve. I regard the proposals, however, as in a great degree mere patchwork, as wholly inadequate to the necessities of the time, and as one of the most extravagant schemes—looking to the worth of the money—that a so-called economical Government has ever proposed to Parliament. The proposals fail, as it appears to me, in not providing what we really require—an Army. As far as the Reserve forces are concerned, I do not profess to understand what the exact nature of the plan is as to the Volunteers; but I am afraid it falls very far short of what is required. As regards the Militia, the amount of training seems insufficient. A maximum of three months—even allowing for all the innate superiority of the British soldier—is but a poor equivalent for three years' training in Germany. Without going into detail, I must venture to express my dissent from the belief that you can possibly maintain the Militia upon purely voluntary enlistment. I will not now enter into the question in what form the principle of compulsion should be adopted; I merely express a doubt of the possibility for maintaining the Militia at the proper standard by voluntary enlistment. The right hon. Gentleman, who has introduced the Bill into the other House, talks of asking for compulsory powers in the event of an emergency. My answer is, that when the emergency arises, it will be too late to do so. As regards the Army itself, I will only say, on this occasion, that the right hon. Gentleman's proposals appear to me to be simply an addition of some 20,000 men to the standing force of the country. As my right hon. Friend, two years ago, reduced the Army by some 20,000 men, so now he increases it by 20,000, and I know of no reason why, if he remains in Office next year, he should go down to the House of Commons and propose to reduce it again. Your Lordships have to look to the enormous sum at which our military expenditure stands. I am not one of those who are in any degree disposed to grudge any sum which may be necessary; but, unless you place your military arrangements on a safe and permanent basis, I think £15,000,000 a year an extremely high, not to say an extravagant price to pay for them. I do not want to compare our system with foreign nations, but there is an obvious inequality between them. We know that Prussia maintains more than 1,000,000 of men in the field for £7,000,000 a year; that Austria maintains 700,000 or 800,000 men for about the same sum; that France, even at the same rate of expenditure as ourselves, was able to place 250,000 men in the field; and that Belgium maintains 100,000 men for £1,500,000. An obvious inequality, I say, appears when you ask this country to spend not less than £15,000,000, and do not show a greater result than the Army Estimates do at present. Were this all it would be bad enough; but you must remember that this £15,000,000 by no means covers all the necessary expenses. It leaves your Army without its proper equipment. Mr. Cardwell talks of 470,000 men; but does he mean to say that that £15,000,000 in any degree equips or maintains those 470,000 men so as to enable them to be, in every sense of the word, an Army? This, you must remember too, leaves our ports unprotected, our great towns undefended; and a night or two ago the Prime Minister informed the House of Commons that the defences of Liverpool must stand over almost *sine die.* And what do you get in exchange? The promise of the abolition of purchase. Now, I am not standing here to defend purchase, though I am bound to say that, so far as I remember, never has a system been more misunderstood and misrepresented. I believe the common opinion is that there is a sort of auction, and that the highest bidder obtains the commission. You ought to look very carefully to see what substitute we are to get for purchase. You are bound, above all, to see that in destroying purchase you do not destroy that which is one of the great indirect advantages of it—namely, that it causes a rapid flow of promotion to go through the Army, and secures you that which hardly any other Army in the world possesses, and which I hold to be an inestimable advantage—I mean young officers. And what are you to pay for the abolition of the existing system? It is said that it will cost you £8,000,000 or £9,000,000, and it is very questionable whether you get a fair return for it. I will not go further into my right hon. Friend's proposals, except to say that they seem to me to have this great defect—they hold out no promise or guarantee of real permanence in our military arrangements. If that be so, what is the inevitable result? It must be that we run back into the vicious circle of reductions and panics to which we have been liable for the last 25 years. One of my complaints against Her Majesty's Government is that they have encouraged this. They now propose a large addition to the Army Estimates; and what does that imply? It implies that the defences of the country are not in a satisfactory state. Yet in the autumn Mr. Cardwell told us that its defences had never been in a more satisfactory state. [Earl GRANVILLE: When?] During the autumn, at one of the numerous assemblies which the right hon. Gentleman attended. I think it was when he addressed the Ancient Druids at Oxford. What their knowledge of military matters amounts to I do not undertake to say; but he succeeded in re-assuring them, if he failed in re-assuring the country. What I complain of is that the Government surrendered themselves in the first instance to the policy of reductions at a time when they ought to have known that the whole soil of Europe was honeycombed by secret transactions and treaties. Knowing that two great military Powers had been for years on the verge of a quarrel, they proposed these large reductions, cleared our arsenals of workmen, cut down the number of our troops, and reduced the Estimates for the Army. I complain, moreover, of the manner in which the reductions were made. If there is one principle on which all parties should agree more than another, it is that whenever reduction becomes necessary it should be made rather in unskilled than in skilled departments—obviously because the skilled branches of the service are articles of slow growth and manufacture, and cannot be extemporized at a moment's notice, no matter what the emergency. But what were these reductions? My right hon. Friend cut down the cavalry—that arm which the recent campaign has shown to be the eyes and ears of an Army, and without which vigorous operations are impossible. I believe also that the horses, in consequence of the low price given, are in many regiments far too young. In the same way he reduced the artillery. I do not intend to value the exact measure of the artillery augmentations he now proposes. It seems to me that almost in proportion as he increases it in England he appears inclined to reduce it in India. If so, the change is a mere hocus-pocus, and of no real advantage. I hope and presume, however, that the increase in England overbalances the diminution in India. So low, I believe, were the artillery cut down last year, that whenever a review or field day was ordered it was necessary for one battery to borrow horses of another. I am told that at the Wimbledon Review last summer the two batteries of horse artillery in the field had to fill up their complement by borrowing of other batteries. I speak under correction; but, certainly, this has been stated in more than one quarter. Not merely do I complain of reductions, and of the reductions being made on a false principle, but, if I may draw a further distinction, of the false economies to which Her Majesty's Government have been prone. To go into detail would be trespassing too largely on your Lordships' patience; but I will give one or two instances, which I am afraid are specimens of the rest. Two years ago a Floating Obstruction Committee sat, and reported that a large supply of torpedoes should immediately be provided. Now, your Lordships are aware that in the American Civil War torpedoes played an important part, and that there is scarcely a single Continental Power which has not long since provided itself with a supply of them. Up to the middle of last summer I believe the total number of torpedoes in store in England was one. Of course, I shall be only too glad to be corrected in any of these details —I state them as they are currently reported. Take another case. During the winter there has been a controversy in the Press with regard to the supply of powder. Now, I believe these to be the facts—The best class of powder is called pebble powder; of that, I believe, none worth mentioning is in store. The second class, which for all practical purposes is nearly as good, is pellet powder. Of that there is but a very small stock—not enough to supply us for a very short time indeed in the event of hostilities. Lastly, there is a very limited supply of ordinary powder. Now, if this statement be true, observe what the consequence is. The new guns provided at so much expense and trouble are works of art in themselves; but they cannot have their full power, or anything like it, developed unless one of the two superior classes of powder is used. That powder is said not to be in existence. They fail in nine-tenths of their power, and if you charge them with the inferior powder, in any proportion so as to make up the loss of power, that powder damages the gun. You are placed in a terrible dilemma, and after making every allowance it seems that you have not in store the primary necessary of military operations. I am told that last April works which were in process with the view of manufacturing this powder were stopped, and the manufacture itself came to an end. Again, we heard last year a great deal about breech-loaders. I understand that when the Continental War broke out the order for the manufacture had fallen off to the miserable number of 30,000. I am told, also, that when the Secretary for War spoke of 300,000 breech-loaders being in store some regiments of the Line were even at that time armed—it is hardly credible — with muzzle-loaders. One of the Highland regiments was armed, I am told, with muzzle-loaders so late as last autumn; and my belief is that a detachment of the 7th Fusiliers mounted guard last August at Portsmouth with muzzle-loaders in their hands. I will take another case. Your Lordships remember that in 1859 a very important Commission was appointed to consider the defence and fortifications of the country. They reported a few months afterwards, and the very first proposition which they laid down was that the works should be completed in the shortest possible time, as neither the Army, the Navy, nor the Reserve forces, nor all three combined, were, in their opinion, sufficient for the security of the country. Ten years elapsed; and in 1869, as I find by a Return, not one of those eight places which they recommended should be fortified were in a state of completion; and further, that the work that had been done had been done in a way not altogether satisfactory. I am informed that at Dover last August the services for the fortifications were curtailed; and that at Christmas, in the midst of a hard frost, totally inconsistent with building, orders were sent down—the country being in a state of fever as to fortifications—to proceed with the batteries immediately. Contracts were consequently entered into, and the ground prepared at a time when it was impossible the work could be properly done, in the hope, I suppose, that a certain number of guns would be mounted before the meeting of Parliament. Those guns, I believe, are not mounted now; at all events, at the end of January there was not one 7-ton gun properly mounted at Dover. I do not blame the present Government exclusively with regard to the fortifications. The Commission of 1859 recommended a certain additional amount of barrack room; but, in consequence of the other reductions made, the barrack room was reduced by one-half. Again, £1,000,000 was recommended to be expended for coast defences; but I do not think it has ever been expended. A Committee was appointed two years ago to consider what the state of these fortifications were, and under the head of "important omissions" they stated that, in estimating the powers of various works, the absence of collateral support and the facilities for attack afforded to an enemy by the omission to occupy important positions were of paramount importance; and that, in some instances, the defence was seriously jeopardized. Such is the result arrived at after spending a considerable sum. In consequence of these reductions you not only have failed, after 11 years, in completing any one of your works, but you have left many of them in such a state that the defence might be seriously jeopardized in the event of attack. There is one other point with regard to fortifications which is obvious to the most ordinary mind, and which I beg to urge most strongly. A strong recommendation of the Commission of 1859 was in favour of what they termed a Central Arsenal. They objected—and I think very wisely—to a concentration of all our military stores at one place. Well, I think for three or four years running the paltry sum of £150,000 appeared in the Estimates under this head. What has been the consequence? At this moment there is concentrated; within a narrow circle of the metropolitan district, everything which would be vital and necessary in the event of invasion. The manufactory of guns is at Woolwich, the manufactory of stores is at Enfield, the store of weapons is in the Tower, the manufactory of powder is at Waltham, even the clothing establishment is in London —in one word, everything is in or near London, and London itself is perfectly helpless, at the mercy of an invader. Is this a state of things which ought to be allowed to remain a single hour? And yet, in the face of that Report, you propose to spend £8,000,000 or £9,000,000 on the abolition of purchase. One of the first speeches I can remember, when I was first in Parliament, at the time of the Crimean War, was made by Lord Herbert, then Secretary for War, who was giving an account of the terrible disasters which had occurred. He stated that the defect of the English Army was that, however admirable its regimental organization, the Army itself was but a mere collection of regiments. Now, I doubt very much whether, when he had been two years in Office, Mr. Cardwell stated that the defences of the country were never in a better condition — whether, indeed, at this moment, anyone would venture to say that, except a few regiments at Aldershot, the Army is anything more than a collection of regiments now. I doubt whether there are at this moment stores in England sufficient to put 100,000 men, or half that number, in the field. The guns are admitted to propose to increase the maximum number of guns to 280. I believe that the number possessed by Prince Frederick Charles's army alone was 400; and I saw by an estimate the other day that the Prussians have in France alone as many batteries as we shall ultimately, when the increase has been effected, have single guns. I should like, again, to know what the Military Train is. I believe it is generally estimated that a *corps de armée* ought not to have less than 1,000 waggons. Have we anything like 1,000? I fear, too, whether, in the event of calling out the Militia and Volunteers, or the Militia alone and the Regular Army for training and drill, anything like sufficient barrack accommodation could be found. Yet I know that the Government have been selling barracks and barrack ground. Mr. Cardwell talks of planning defences for London, and he proposes to take money for a survey of the defensible positions round London. This is very reasonable and sensible; but the amount of money provided in the Estimates for the work is £1,000. Why, we shall have to wait another 10 years before the task is completed, and it is a sum of money thrown away. If the thing is necessary, either spend sufficient to do the work at once, or do not waste it in driblets of this sort. I should be glad to know whether we have a supply of maps for military service? Your Lordships are perhaps aware that when Marshal MacMahon attempted his disastrous retreat maps were placed in his hands according to which he directed the march of his troops, and that he found the roads traced on them had never been completed. The Prussian authorities, on the other hand, had maps in which every farmhouse was marked, with the number of horses, and other important information carefully tabulated. Surely if they could do that for France, we ought to have equally good maps of England. This is no more than was done in 1803, when there was expectation of an invasion. All along the South Coast the Government were in full possession of all the details and resources of the country. In connection with this there is another important point on which I must say a word—it is a very great and very important subject—the subject of the military education of our officers. A

Commission, appointed, I think, by the Government two years ago, inquired very fully into the matter, and took some remarkable and valuable evidence. I certainly am not one who would in any degree disparage the qualities of the English officer, for I know well what those great qualities are. Whatever may be said against our officers, let this, at least, be remembered—that they have never failed. Where courage, self-devotion, the power of winning the confidence and affection of their men are required, we are able to calculate, with mathematical certainty, on finding those great qualities in the English officers. Be careful never to impair the value of such an article as that. At the same time, every English officer would be the first to admit that in the present age war is in a very remarkable stage—that science of the highest kind is being brought to bear on every detail, and that in the German Army, to which we now look for an example in these matters, every officer is almost a professor. If the standard is raised in one Army, you must, in self-defence, raise it in another; and it is impossible to read the evidence given before that Commission by my noble Friend Lord Strathnairn, who was so long in chief command in India and in Ireland, without perceiving that this point requires immediate attention. He pointed out that while our military education has many valuable points, it falls short in that strategic instruction which is in these days vitally essential. Have Her Majesty's Government done anything in this matter? Are they prepared to do anything? I shall be told, perhaps, that military instructors have been appointed. This is a decided advantage; but regimental instruction is hardly sufficient to meet the necessities of the case. I will not weary the House by going into further details. I complain of my right hon. Friend's scheme partly for what it does, and still more for what it omits to do. I can hardly disguise what my own opinion is, though I fear it is not shared by your Lordships. I cannot help regretting that my right hon. Friend and Her Majesty's Government did not take the opportunity of offering to Parliament and the country something in the nature of military service obligatory on the population at large. This, I know, is deemed a foreign notion. My answer is, that our ancestors had it, and that foreigners imitated it from us. I may be told it is unpopular. If so, still if it is right, it was the duty of the Government to press its importance, for in the present state of the world it has become necessary. It is said that it disturbs industrial occupations; but everything is a disturbance of them. A tax of £15,000,000 is a terrible disturbance; but you might have a worse one, and anything which jeopardizes the safety and security of the country will be a disturbance far greater. I am not going to press this point; but I am honestly bound to state my opinion, and there may be a later opportunity of discussing it more fully. No mention has been made by the Secretary for War of camps for manœuvring. This may seem a detail; but it is essential that we should have camps such as they have abroad, where troops can be massed in large numbers. Officers of experience have assured me that it is there only that the weaknesses and defects of a system come out. Till that is done, and as long as you live on mere red-tape and bureau administration, so long will the defects continue. I can hardly refrain also from saying that I entertain great misgivings—though in the presence of military men I announce them with all diffidence—as to the present Control system. I know that the system of *intendance*, from which it was in a great measure copied, failed to a certain extent in the Crimea, to a greater extent in the campaign in Italy in 1859, and that it has failed most completely in France in the present war; but I also know that the system has the authority of very great names in this country. My noble Friend behind me is a strong supporter of it, and it saw the light very much under his auspices. I am bound to point out, however, that since it was initiated by him some changes of an enormous kind have been made in it which makes it differ considerably from its original character. According to my noble Friend's scheme the general of each district was nearly paramount. I may be wrongly informed; but I understand that the assistant controllers in different parts of the country are now in direct correspondence with the War Office. They correspond with the Controller-in-Chief, who in nine cases out of ten supports them, and the general, who ought to be the one person to give orders and be responsible, is practically shut out from the field of operations. Moreover, these assistant controllers are in many cases civilians; and this fact has an important bearing upon a second principle of vital consequence. It was recommended by the Committee, when the system was established, that while transport and all general stores should be placed under the Controller, ordnance stores — that is, ammunition and what I may call fighting stores—should be entrusted to soldiers and experts alone. This is obviously proper, for in these days of scientific warfare, when ammunition and artillery are reduced to so scientific a form, none but experts can master the technicalities of the art, and grave consequences may ensue from the want of such knowledge. I am told, indeed, that at a review of the West Kent Militia, last year, cartridges were served out by a civilian assistant controller, who, I suppose, not being very familiar with the *matériel* he was handling, gave the men ball cartridges instead of blank cartridges, the result being that one or two officers were very nearly shot, and the lives of the men in the front ranks very much endangered. Such ignorance as this in actual warfare would cause great confusion. It may be objected that my suggestions would involve great changes. My answer is that the changes proposed by the Government are too small, whether you measure them by the cost or by the necessity of the case. Measure them by the cost, and I ask any one who complains — and justly complains — of our great military expenditure, to calculate how much less it would cost if you could appeal to the free services and energies of every ablebodied Englishman. Measure them by the necessity of the case, and compare the state of things here with the state of things abroad. Look at those great Continental nations, passing every man through military discipline, organizing the nation in great standing camps, and arming and drilling them. People in England applaud all sorts of theories about voluntary service, and say that a system of compulsion such as prevails on the Continent would be a retrograde system, and contrary to the first principles of civilization. I agree with all that; but it will not stop what is going on abroad. By fine speeches here you cannot alter the policy of these great military Powers. All you can do is to place this country in a state of defence, and I ask you to consider how we stand in this matter. Assuming your Army to be sufficiently numerous —assuming the supply service to be sufficient—assuming the military organization to be all that you require—look for a moment at what our system of military administration is. We have a War Office in London. While in those Continental nations the War Minister is a man who is permanent, or, at all events, in office for a long succession of years, and is trained to the highest point of professional and scientific knowledge, we have here a series of gentlemen, mostly civilians, holding Office for a very short time, and generally quite unfamiliar with all military details when they accede to Office. I am not blaming the Government for this. The War Office has been in existence for 16 years, and during that time there have been eight War Ministers—giving two years as their average term. Of those eight, two only had been in the Army, and one—perhaps the ablest of all—declared that when he went to the War Office he did not know the muzzle from the butt end of a musket. Look at what the administration of the Department is and must be. It is in a state of perpetual change. Ever since I have known anything of it, endless Minutes have been written with a view to endless alterations. Endless Committees have been moved for and have sat. The War Office, moreover, is often choked with correspondence; whereas if there be an Office which *primâ facie* should have little correspondence it is the War Office; yet I have been told that one-fourth of our official correspondence passes through it. I observe a calculation that 4,250,000 ounces of letters come to and go from it. Is it conceivable that an Office which spends its time in letter-writing can be such as you require military administration to be? The Secretary for War is perfectly helpless amid all this. He finds himself surrounded by defective organization, and very often with inadequate information and assistance. He is encumbered with questions on all sorts of details in the House of Commons, and lives in constant terror. Beyond all this, he is governed by the one predominant necessity of finance — he is influenced by the ideas of finance, which dominate for the time at the Treasury, and is driven to propose constantly economies which are of the most unsatisfactory kind. Then, while undue economy is exercised in one branch of the Department, often unnecessary waste is incurred in another — for instance, you bring home all the way from Canada a quantity of rubbish — the quality of which can scarcely be believed without its being seen. Indeed, it was not worth the expense of transport. But when you pass from the War Office and the Secretary of State to the Government itself, what do you find in their position? Why, ever since the Crimean War we have witnessed a succession of violent changes, and at present the Cabinet is without a military adviser. The result of that, of course, is, that there is, and can be, no steadiness either of action or policy in military matters. It is quite true that you may say the policy of this country is one of defence, and not of offence. In that statement I heartily concur. I wish that our armaments should be constructed in accordance with that policy. But it should be remembered that a war of defence may involve some measure also of offence, and that you are, moreover, encumbered with treaties and guarantees abroad, which at any moment may pledge you to take up a position requiring to be backed by arms. It may be said that in European complications it is our desire to be neutral. So we are, and so I trust we may remain. But we have learnt within the last 12 months that neutrality, to be effective, must be either benevolent or strong. What, my Lords, was the answer returned by the first Napoleon when the Venetians represented that they desired to be neutral? He said—"Place 50,000 men on the Adriatic and then I will consider you as neutrals and recognize your neutrality." And that is our position. Unless our neutrality be backed by military force, I believe our neutrality and representations by such a neutral Power to be absolutely worthless. All those who have watched the course of affairs must fear that if we were, unhappily, to be involved in hostilities we should find the same want of preparation which has been our invariable characteristic. That was the experience of Marlborough and of Wellington; and the historian of the Indian Mutiny records that when the Mutiny broke out no preparations had been made in India. But it must be recollected that our position now is very different from what it was in the 18th century, and that in India we had to deal only with Sepoys. And, my Lords, what was said of the Roman eagles may, I think, be said now of the Prussian eagles —that they owed their victory as much to their swiftness of flight as to their sterner qualities of war. In modern times war is declared in a few hours' notice, and woe to those who have not made their preparations long before. It may sound the language of an alarmist; but I cannot forget the words I quoted just now of that eminent Commission of 1859, appointed to consider the defence of the country; and that which the Duke of Wellington, Lord Lyndhurst, Lord Palmerston, and Sir John Burgoyne have all thought possible, I should certainly not be presumptuous enough to say was impossible. What we did in former days at Alexandria, what the French did when they crossed the Danube under fire, what Napoleon very nearly succeeded in doing at Boulogne in 1805, is certainly not beyond the range of possibility now. And lastly—though I say it in no sort of hostility — that which is discussed in high German military circles as a curious and interesting strategic problem—the invasion of England, deserves, at least, attention on the part of those so deeply interested in the matter as we are. I do not blame the Prussian or the German officers for discussing such subjects, nor do I blame the Government for it; but I know, as a matter of fact, that in the German portfolios there are designs and sections of every English ship of war launched, showing her guns, her armaments, her measurements, and her size. For a national army, such as the German nation now is, which makes war its profession and its study, these are all very interesting and curious problems; but we, on our side, ought, at all events, to be prepared. Anyhow, let us not forget what have been the lessons of the last six months. We have learnt, at all events, this—how, in the 19th century, in spite of the progress of civilization, like thunder in a clear sky, a declaration of war may be pronounced in a few hours. We have seen, also, how, in a few hours after the declaration of war, large forces and tremendous agencies, guided by intelligence of the very highest order, may be set in motion; we have seen how victory attached itself irresistibly to that Power which had known how to prepare beforehand for the contest, and we have seen how vain have been the efforts of hastily-armed and ill-trained levies. And we have seen the utter misery—transcending the language any man can use—worthy only of a prophecy out of the Book of Revelations—which has fallen upon the men, women, and children of the conquered country, destroying the industry and happiness of years. I have no wish to exaggerate in this matter. I am afraid it is in vain to appeal to Her Majesty's Government. They have systematically—I do not say designedly, but through long miscalculation of the temper of the country — they have spoken smooth things when the horizon was in reality cloudy and threatening: like the oracles of old, they have deceived others until they have ended by deceiving themselves. I do not appeal to the peace-at-any-price party—they are happily a small minority—but the English people, whose common sense never fails them, and who know how much they would, one and all, high and low, rich and poor, lose if this country were to receive a shock, or its security were endangered, look for something more. During last autumn a Member of Her Majesty's Government, in addressing his constituents on this subject, said he trusted no great time would be wasted in Parliament in talk on military matters. With that hope I disagree entirely. I hope and trust that Parliament will be so far alive to the feeling of the country as to spare no time or trouble in discussing and considering matters in which not only the credit and honour, but the very security and prosperity of the country are at stake.

Moved, "That an humble Address be presented to Her Majesty for, Returns of the number of places which it was recommended by the Defence Commission, 1859, should be fortified, and of which the fortifications are now complete: the number of tents and tent equipages now in store, exclusive of officers and hospital tents: the amount of barrack accommodation in England and Scotland, specified according to districts and counties: the barracks and barrack grounds sold or disposed of within the last two years."—(*The Earl of Carnarvon.*)

LORD NORTHBROOK: My Lords, although my noble Friend (the Earl of Carnarvon) was kind enough to give me notice that his speech would have a wider scope than the mere words of his Notice would seem to indicate, I cannot proceed to make the observations which occur to me, in answer to my noble Friend, without venturing, as a very young Member of your Lordships' House, to suggest that there is a great objection to answering a speech made in the House of Commons by a speech in this House, and that nothing can be more inconvenient than for your Lordships to discuss Estimates which have not yet been brought under consideration in the House of Commons. Both these things, however, have been done by my noble Friend this evening. I shall endeavour, as far as I am able, to extract from the somewhat loose statements made by my noble Friend, and from the mass of incidents which he has crowded one upon another, what my noble Friend conceives to be the policy which the Government ought to adopt, and what he conceives to be amiss in the proposals of the Government. I believe I am correct in saying that we are accused of having recklessly reduced the Army by discharging 20,000 old soldiers, who, at the rate of £100 a year each, represent the saving of £2,000,000 which is shown on a comparison of the Estimates of 1870 with those of the year 1868. Then it is said that the Government had to replace these 20,000 experienced soldiers by 20,000 recruits in the autumn of last year, thereby adding again to the Estimates the sum of £2,000,000 which had been previously taken off; the result being that the Government had been forced to revert to the military policy of their predecessors, and had only imperfectly re-established our military force in the condition in which it stood in the year 1868. I think I am describing the attack as fairly and as strongly as I can. In the first place, I wish to induce your Lordships, if I can, to discard from your minds the notion that the calculation which has been constantly referred to here and "elsewhere," that every soldier costs £100, and that, consequently, to discharge 20,000 men effects a saving of £2,000,000 in the Estimates, is correct. The calculation has not the slightest foundation in fact. My noble Friend opposite has been constantly referring to the Army Estimates for this year, and perhaps he will allow me also to refer to them for a moment. If the Votes which comprise the cost of the pay, provisions, clothing, and all other attributes of the men themselves for this year be compared with the same Votes of last year, it will be seen that out of the whole increase of £2,886,000 in the Army Estimates of this year about £1,000,000 only depends upon the increased number of men. Your Lordships will see that for 20,000 men that is just £50, instead of £100, a man. The noble Earl behind me (Earl Granville) in replying the other night to some remarks which had been made by the noble Duke (the Duke of Richmond), expressed an opinion that the cost of a soldier of the Line was about £40 a year. My noble Friend was perfectly correct; according to a Parliamentary Return, the average annual cost of 1,000 rank and file of Infantry of the Line serving in Great Britain,—including the pay of officers and non-commissioned officers, clothing, commissariat charges and allowances is given at £40,000. I trust, therefore, the statement that a soldier costs £100 a year will never be brought forward again in any discussion on military affairs. And now I come to the main question—were the reductions made in 1869 and 1870 reckless reductions? It has been asserted that my right hon. Friend the Secretary of State for War came into Office with the avowed object of effecting retrenchment; and my noble Friend who has just addressed your Lordships used language which I think had better have been uttered in the presence of my right hon. Friend than behind his back. The noble Earl (the Earl of Carnarvon) asserted among other things that my right hon. Friend was governed by the one predominant necessity of finance. Such statements as this, however, are utterly inconsistent with the declared policy of the Government and with the facts of the case. In the first place, they are inconsistent with the assertions publicly and deliberately given by Her Majesty's Government and by my right hon. Friend the Secretary of State for War in the other House. The other day it was noticed that in the paragraph in Her Majesty's gracious Speech from the Throne, relating to the Estimates for the present year, no remark was made in reference to their having been framed with a view to economy. This, however, was by no means inconsistent with Her Majesty's Speech in 1870, in which it was stated that the Estimates—

> "Framed with a view, in the first place, to the effective maintenance of the Public Establishments, will impose a diminished charge upon the subjects of Her Majesty."

Thus the primary object announced in 1870 was the maintenance of effective establishments, and it is not correct to say, as the noble Lord has done, that efficiency was disregarded in the deliberations of Her Majesty's Government. I challenge any noble Lord opposite to point out any statement made at any time, either in or out of Parliament, by my right hon. Friend the Secretary of State for War to the effect that his mission was to reduce the Army and retrench the public expenditure without reference to the efficiency of the service; yet these were the words used the other day by the noble Duke opposite in regard to Mr. Cardwell—"He came into Office with the avowed object of retrenchment."

THE DUKE OF RICHMOND: I quoted the words from a letter written by Lord Russell to the newspapers, in which he said that Mr. Cardwell's policy was retrenchment, and that he had done his best to carry it out.

LORD NORTHBROOK: I have no wish to misrepresent the noble Duke; but surely the words fairly bear the interpretation I have placed upon them. The noble Duke must be aware that the opinion of Earl Russell could be no evidence of the intentions of Mr. Cardwell, who had himself said in public, when moving the Army Estimates last year, that—

> "Saving effected by the sacrifice of efficiency is not economy. . . . But, on the other hand, I contend that economy, when not pushed beyond the proper limit, is in itself an element of efficiency, and that without true economy efficiency can seldom exist."—[3 *Hansard*, cxcix. 1160.]

I trust I have now convinced your Lordships that the assertion that the reductions have been reckless is contrary to the declared policy of the Government and of my right hon. Friend the Secretary of State for War; and I must now ask your Lordships to consider for a moment whether those reductions have or have not been reckless in point of fact. From the first, Her Majesty's Government announced a distinct policy in regard to the reduction of the Army; and that policy I had the honour to explain at some length in this House last Session in answer to Earl Russell, who, I regret to say, has not yet been able to appear in his place this year. I then endeavoured to explain that policy to be one of concentrating the forces of the Empire. Instead of allowing the forces to be quartered in driblets in different parts of the Empire, it was resolved to mass at home a large portion of our troops, so that they might be at once available when required. That policy was not a new one. It was recommended by the Committee appointed by the other House in 1861, and it was advocated by some of the highest authorities on military affairs. Nevertheless that policy was never thoroughly carried out till the accession of the present Government, when it was adopted under the auspices of the noble Earl, who was then Secretary of State for the Colonies (Earl Granville). The result has been that if we compare the years 1868 and 1870 we find that the number of troops in the Colonies has been reduced by 25,000 men, and the net expenditure in the Colonies proper, omitting the garrisons, has been reduced by £1,164,000. Now, I know many of your Lordships will agree with me in thinking that the policy of concentrating our forces at home has been advantageous to the Empire; for a concentrated force is clearly more powerful than one which is severed and distributed. I believe it also to have been beneficial to Colonies themselves, by inducing them to rely more on their own exertions; for the withdrawal of the Imperial forces has led them to raise levies with which they could, at all events in the first instance, undertake the task of defending themselves when attacked. At the same time, it is clear that the real defence of the Colonies is the fact of this country possessing a naval superiority over all the other nations of the world. I have said that the policy of concentrating troops at home was, in the first place, advantageous to the Empire at large, and, in the second, advantageous to the Colonies themselves; and I say also that it was advantageous to the United Kingdom of Great Britain and Ireland. It has given us greater strength at home, coupled with a diminution of the expenses of the Army—a consideration which even in this House is not to be lost sight of. My noble Friend opposite (the Earl of Carnarvon), when he was Minister for the Colonies, deliberately carried out the policy I have been explaining: at any rate, when he came to discuss the matter with my noble Colleague behind me (Earl Granville) the differences between them were very minute.

THE EARL OF CARNARVON: I have not made a single remark this evening about the concentration of troops in England, and I am not aware that the word "Colony" or the word "colonial" escaped my lips.

LORD NORTHBROOK: I believe that to be quite true; but the very fact shows that the noble Earl has not looked at the question as a whole, and that he has omitted even to allude to the cardinal point of the policy which he is now attacking. It is impossible to discuss the military policy of the Government without dealing with the concentration of troops, upon which it chiefly depends. Therefore it is not my fault that I have alluded to the question, but it is his that he has overlooked it. Now, what has been the effect of our policy upon our military strength at home?—a vital point in the discussions of the last six months. The noble Earl opposite believes that the reductions were carried out in an improper manner, because artillery, and cavalry require longer training than infantry, and these forces ought to be reduced with the greatest reluctance. But will your Lordships believe that all the foundation for the attack is that the cavalry at home were reduced from 8,949 rank and file in 1868, to 8,762 in 1870, being a diminution of 187; and that the artillery at home were reduced from 12,015 rank and file in 1868 to 11,690 in 1870, being a diminution of 325? The reduction in both those arms of the service therefore amount only to about 500 men. The noble Earl made some remarks about the strength of the artillery last year, and the field force at the Wimbledon Review. Last Session I had a statement about the field force at Wimbledon which I carried about with me day after day in order to be prepared to answer a Question, fully expecting that one would be asked in this House; such a Question, however, was never put; and as, of course, I did not expect the information would be called for now, I have not the paper with me; but a gallant Friend opposite, to whom I showed the statement at the time, and who is a much greater authority than I can pretend to be, was perfectly satisfied that the statement disposed of the attacks about the constitution of the field force at Wimbledon. Did we in other ways reduce the force in a reckless manner? Certainly not. We did not reduce a single British regiment nor a *cadre* of a single battalion of the British Army; and I do not think the noble Earl, however disposed to criticize, would cite in support of the charge the reduction of two West India regiments, of the Canadian Rifles, and of the Cape Mounted Rifles—forces which I do not wish to disparage, which were broken up for political or other reasons, but which did not add to the defensive force of this country, and the loss of which could not be seriously accounted a diminution of the military strength of Great Britain. As to our discharging veterans we did not recklessly get rid of any who desired to remain, and who could be advantageously retained. The fact is, the men who were discharged were men whose term of service had nearly expired and who declined to re-engage, and men of worthless character; and the highest military authority, the illustrious Duke on the cross Benches, has given his opinion that the result of the reductions was that the battalions were in a more solid state than they were before the reductions took place. A curious illustration of the effect of the reductions is to be seen in a Paper recently laid upon the Table of the House—the Report upon the Military Prisons for 1869—in which the diminution of military prisoners is greatly attributed to the expulsion from the Army of "men hardened in a career of vice." If such was the result of the reductions, no one can say that they were recklessly made. As the speech of my noble Friend (the Earl of Carnarvon) was an indictment against Her Majesty's Government upon the policy they have pursued, and as it is a subject upon which, during the Recess, there has been much misrepresentation, I hope your Lordships will bear with me if I endeavour to explain the inaccuracies into which he has fallen. What, then, has been the effect of the the reductions upon the force at home in 1870, before the increase of August, as compared with the force at home in the year 1868? Dealing with the Regulars of all ranks, the strength of the establishment in 1868 was 87,505, and in 1870 it was 89,051. I will not compare the Reserves, except to say generally that whereas in 1868 their numbers were 3,545, in 1870 they were 21,900. Your Lordships will see that in 1870, after a reduction in expenditure of £2,000,000, we had in this country a larger and more powerful force than we had in 1868. I now come to the allegation of the noble Earl that what we did by increasing the Army last year was simply to place ourselves in the same position in which we stood in 1868. Surely, however, if our strength at home was greater after the reductions than before it was not necessary to add 20,000 men to the Army to bring it up to its previous position. But the circumstances of the country in the autumn were entirely different from what they were either in 1868 or 1869; and if we are told that the Army must always be the same whatever the surrounding circumstances may be—whether there be a profound peace or whether the nations of Europe be engaged in deadly conflict, then I say no such doctrine has ever before been maintained in this or in any other country. In Prussia, for example, the keystone of the military system is low establishments in time of peace and high establishments in time of war; and unless that rule be recognized in this country, we shall have constant complaints of lavish expenditure and reckless reductions in consequence. It was considered necessary that an increase should be made in the Army in the autumn of last year; but that increase raised our strength at home far above that of 1868. The comparison of the establishments of the two years is really most striking. The rank and file of the cavalry in 1868 numbered 8,949, and in 1870 they numbered 10,422. The artillery in 1868 were 12,015, and in 1870 they were 16,408. The field artillery may be considered to have been almost doubled. It was said by those who had only imperfect information to rely upon that the increase of artillery at home was obtained at the expense of India; but the strength of the rank and file of artillery in India remained as before. The rank and file of infantry, which were 35,580 in 1868, will be 53,150 this year. Therefore your Lordships will see that the allegation that by the addition of 20,000 men in August last we merely placed ourselves in the same position that we were in in 1868 is entirely erroneous. So much has been said about the difficulty of obtaining recruits, that, although my noble Friend did not allude to the subject, I may, perhaps, be allowed to make a short statement. The number recruited since August 1, 1870, has amounted to 26,155, and the casualties during that time amounted to 7,804.

VISCOUNT HARDINGE wished to know how many of the recruits were for the short period of enlistment? ["Hear!"]

LORD NORTHBROOK understood that cheer, and would advert to the subject of short enlistments by-and-by. The net increase in the Army during the period referred to had been 18,351. The number of short enlistments had been 3,383. There were some remarkable facts connected with this recruiting. It used to be considered utterly preposterous to suppose that a system of recruiting could be carried on without bounty. Well, bounty was abolished last June; the whole of these recruits, therefore, were obtained without bounty, and — what is still more satisfactory — although these recruits were sent to the depôts without escort, the percentage of desertions was less than it had ever been under the old system. The rate of recruiting during the last six months was nearly the largest that we have ever had. The largest number of recruits in any one year from the civil population, and the disembodied Militia, was in 1858. The number of recruits in that year was 53,000—about 1,000 per week. But, without bounty, we have come up to about the same number of recruits, although no great inducements were held out last year, as in 1858, to the disembodied Militia to join the Army.

THE DUKE OF NORTHUMBERLAND asked whether the standard had not been lowered?

LORD NORTHBROOK: The standard was lower in 1858 than in 1870. For some regiments it was then as low as 5 feet 3 inches. It is the opinion of the Inspector General of recruiting that the recruiting during last autumn was as satisfactory as it could possibly be under the circumstances. With regard to this subject, a Report will be laid on the Table which will afford to your Lordships a good deal of interesting information. With regard to the Control

system, the noble Earl appears to be under some misapprehension, which is the more remarkable as it was one of the measures introduced by Sir John Pakington when at the War Office; and the Conservative Government, in which the noble Earl held Office, took credit for it in the Queen's Speech before the dissolution of the last Parliament.

THE EARL OF CARNARVON begged pardon for interrupting; but Sir John Pakington was not at the War Office, but at the Admiralty when he was at the Colonial Office. When the Control system was brought forward he was not in Office.

LORD NORTHBROOK: I entirely acquit the noble Earl of any share in the responsibility for initiating the Control system. I had forgotten the unfortunate separation that occurred between the noble Earl and his Colleagues. My noble Friend is quite in error if he supposes that the Controller is independent of the general officer commanding a district. That was the error of the French *intendance,* and has been avoided in the Control regulations, by which the general officer is made the supreme authority. My noble Friend has related an anecdote about ball and blank cartridges. The story has been told before, but the mistake had nothing whatever to do with the Control department, for the officer who made the mistake did not belong to the Control department, but was one of the officers of the old department. My noble Friend also indulged in some criticisms on the general principles of the administration of the Army; but I was not able to gather what remedy he would suggest to correct the ill consequences to which he adverted. Of course, we all know that in the changes in the Government of this country it rarely or ever happens that the Secretary of State for War, who is responsible for the administration of the Army, can be a soldier of distinction; and we also know that, owing to those changes, the responsible Minister rarely remains in Office for a great length of time. It must also be admitted that in respect to the great Departments of the Army and Navy, civilians, who had no practical acquaintance with those services, must feel great difficulty on being placed at the head of the Departments. Still, as long as constitutional government prevails in this country, it would not be easy to provide a remedy for the inconvenience which undoubtedly exists in that respect. What has been done by the Secretary of State for War appears to be the best thing that could be done under the circumstances. He has by an Order in Council divided the business of the Army into three distinct departments, and has placed a responsible chief at the head of each; and when my noble Friend says that there is no military adviser at the War Office I will inform him that my right hon. Friend has placed, by an Order in Council, the illustrious Duke on the cross Benches—the Field Marshal Commanding-in-Chief—in that position. Without dwelling more on these administrative questions I shall be prepared, on all proper occasions, to defend the arrangements made in the War Office, which have been settled with the view of defining duties and fixing responsibility. In the end an economy of more than £50,000 will be obtained by the reductions which have been made in the War Office by my right hon. Friend. My noble Friend made some remarks to the effect that the Secretary of State for War is at a loss to know where to turn to obtain accurate information; but I believe that he is perfectly satisfied with the information he receives from those who are responsible for the several departments, and has found great relief in respect to the weight of his duties by the alteration, which placed responsible chiefs at the head of different departments, and I rejoice that he will now have the advantage of the assistance in the other House of that distinguished officer Sir Henry Storks. My noble Friend made some observation on the subject of stores, and I am glad to say that he did not assert that we were careless with respect to the provision of great guns. With respect to gunpowder, the noble Earl said that the powder we had there was so defective in quality it was impossible to use it with safety or satisfaction.

THE EARL OF CARNARVON: What I meant to say was this—that the best kind of powder in store existed in such small quantities that I might say it scarcely existed at all. By the use of the inferior powder the gun would lose about nine-tenths of its propelling power, and it would act most injuriously on the new guns.

LORD NORTHBROOK: I admit that there is a difficulty in getting sufficient and adequate powder at once to suit the new guns; I ask how is it possible, with respect to a new kind, upon which a Committee has just reported, that there should be a large quantity in store? If a new sort of manufacture be introduced, machinery must be got for it; and if my noble Friend asserts that any delay has taken place with respect to the manufacture of this gunpowder, I shall be happy to meet him on that question on a future occasion. As to the amount of powder in stock I will at once tell your Lordships how we stand, for there is nothing to conceal in the matter. We have of the L. G. (large grain) powder, 214,536 barrels; of the R. L. G. (rifled large grain) powder, 66,075 barrels; of the pebble powder, 564 barrels; and of the pellet powder, which we have abandoned, 149 barrels. Now, of the R. L. G. powder—which is admitted to be good and efficient for the large guns—we have twice as much in store as was consumed during the siege of Sebastopol, where, I believe, the consumption was under 30,000 barrels. I, therefore, hope the noble Earl will set his mind at ease as to the supply of gunpowder. I pass now to the subject of breech-loading arms, and must say I am surprised that my noble Friend should come here with the old story as to what the Secretary of State said in the other House during the autumn of last year. The statement then made by my right hon. Friend was strictly accurate.

THE EARL OF CARNARVON: I said nothing as to its accuracy or inaccuracy. I merely stated that there was at that time in the North of England a regiment still armed with muzzle-loaders, and another similarly armed in the South.

LORD NORTHBROOK: There are ways of stating a thing so as to produce a certain impression, and I appeal to noble Lords around me whether the statement of my noble Friend did not seem intended for the purpose of throwing some degree of discredit on the statement of the Secretary of State. Now, as his representative in this House, I cannot pass by such an allusion, and will give it what I think must be accepted as a complete answer. Every word in the statement made by my right hon. Friend in the other House was strictly accurate. At the same time, it is possible there might then have been a regiment somewhere in the North of England, and another at Portsmouth or elsewhere, armed only with muzzle-loaders. Everyone is aware of the practice regulating the supply of breech-loaders to troops for service in India. My right hon. Friend had stated in the House of Commons, only a few days before the answer to which my noble Friend referred, that some of the regiments stationed in India were still armed with muzzle-loaders; that recruits sent out to join their regiments were not provided with arms, but regiments proceeding to India carried with them the Snider rifle. The regiment at Warley or at Portsmouth alluded to by my noble Friend was simply a regiment just returned from India, and in a few days it would have received the breech-loading arms. Anything, therefore, approaching to the allegation that our Regular forces at home were not armed with breech-loaders is entirely contrary to the facts of the case. My noble Friend, indeed, is very unfortunate when he deals with breech-loading arms. In the autumn he made an interesting speech at an agricultural association in his own county, and said he doubted whether a single regiment of Militia was armed with breech-loaders.

THE EARL OF CARNARVON: I was misreported.

LORD NORTHBROOK: Of course, I accept that explanation; but I think it is somewhat unfortunate that on a subject of such importance the correction was not made at the time. Another question alluded to by my noble Friend was that of our fortifications. What, he asked, is the reason why these great and important works—these real safeguards of the country—are not yet completed? Simply because it is not possible, by the mere word of a Minister, to create or to complete such gigantic works. My noble Friend calls upon us in the spirit of the old lines—

> "Ye Gods! annihilate but space and time,
> And make two lovers happy!"

If we could have annihilated space and time and made these forts as with the wand of a magician, we should have been only too glad to have done so. But the cause of the delay is a perfectly simple one. In 1859 there was no bigger gun than the old 68-pounder, weighing some 5 tons. Since then the weight of our guns has gradually increased, first we had a 7-ton gun, then an 18-ton gun, next a 25-ton gun, until now we have a 35-ton gun. What would have been thought if these works had been hastily completed for an armament of 5-ton guns, and in the meantime these large guns had come into use? That is the real fact with regard to these fortifications. One change after another has taken place. We have been living in a period of great and rapid transition. Only the other day the Moncrieff gun-carriage was invented, and it may, perhaps, be still further improved. Such inventions give rise to great changes, and involve considerable delay, though they may lead to great and permanent advantages. However, I hope the Return to be furnished respecting the present condition of these fortifications will give all the information required, and your Lordships will see that, though not practically completed along the whole coast, yet, on several of the most important points of the coast, they will give an effectual protection to our dockyards—the great naval arsenals of this country. My noble Friend (the Earl of Carnarvon) read an opinion from some professional authority respecting these fortifications, which are pronounced in some place or other to be insufficient. Not knowing the particular work alluded to, and not being an Engineer officer, I cannot profess to argue the matter, or to give a practical opinion on the point at issue. All I can say is that the opinion quoted by my noble Friend is not shared by an officer who will be recognized as one of the highest authorities on the Continent upon questions of this nature: Colonel Brialmont, of the Belgian service, who carried out the fortifications of Antwerp, expressed to Colonel Jervois, the able officer in charge of these works, the highest opinion as to their merits, and stated that he looked upon this country as being in advance of the other nations of Europe in works of fortification. I hope that opinion will weigh with greater force than that of the authority quoted by my noble Friend. Then my noble Friend asked why, after a Commitee had reported in favour of torpedoes, we had not a supply of them in store? But what would have been the use of having an enormous store of torpedoes ready in in the course of last year? Was there any probability of our having to use any one of them? If the torpedoes had been made immediately after the Report of the Committee to which my noble Friend refers, the consequence would have been what has so frequently happened in similar cases—that a pattern, tolerably good for the time being, would have been manufactured in considerable quantities, and then a better pattern having been obtained, the money previously spent would have been wasted. What has actually been done is much better; we have set about ascertaining the proper character of torpedoes, and a certain number of them will be immediately prepared. All the necessary stores which cannot be bought at short notice will be purchased; and the manufacture of gun-cotton, which cannot be obtained in the market at short notice, will be proceeded with. As to those stores which can be easily procured at any time, we shall wait till the occasion arises, and we shall then, in a few days, be able to supply any number of torpedoes for the defence of our harbours and ports. The necessary plans of defence will be kept ready. We shall merely want certain materials which can be easily supplied. Upon the general question of the sufficiency of our supplies I will state the opinion of one of our most experienced and distinguished Artillery officers, the Director of Stores, General Adye, who has informed the Secretary of State that our arsenals and depôts have reserves of all kinds in abundance, and that, in his opinion, as far as relates to munitions and military equipments, we now stand better prepared for war than we have been at any period within his recollection. So much for the attack made by my noble Friend upon the administration of the Army during the last two years. My noble Friend quoted, evidently from recollection, an expression which he attributed to my right hon. Friend the Secretary of State for War at a meeting of the Druids' Society at Oxford—that this country never was in a more complete state of defence than it was in the autumn of last year. Now, possibly that opinion is a true one—I do not wish to discuss the point—but the remark was never made by my right hon. Friend. During the speech of my noble Friend I have had an opportunity of communicating with my right hon. Friend, and the remark he made was different from that attributed to him. What he said was that, as regards the effective force at home last autumn, it was greater, as he believed, than it had been in any one year since 1815, excepting at the conclusion of the Crimean War. I think it right to correct the misapprehension into which my noble Friend has fallen upon this point. And now, my Lords, I come to the part of my noble Friend's speech, in which he attacked the present policy of Her Majesty's Government. With regard to the charge of extravagance brought against that policy, as my noble Friend did not propose any counter plan, nor adduce any particular instance of this extravagance, I am equally unable to consider his plan, or to answer his observations. But my noble Friend appears to me to have never touched upon the point which really lies at the root of all questions connected with the organization of our Army, and that is—"What is it you want your Army to do?" My noble Friend said something about "benevolent neutrality;" but I would ask my noble Friend, does he mean that we are to change, or that we are not to change the policy which this country has pursued with respect to military affairs ever since the Peace of 1815? That policy, as I understand it, is that we should keep up a naval force of great strength and efficiency, and with it a moderate Army, one in no way equal to the great forces maintained during the whole of that period by many of the great military Powers of Europe. Are we to alter this system, or are we to adapt it to the circumstances of the time? As far as I could gather from the speech of my noble Friend, although it was difficult to extract a positive opinion on that part of the subject, he would alter that policy. But if we are to alter it nothing short of a conscription on the largest scale—carried to the extent it is done in Prussia — coupled with enormous Estimates, would suffice. If, on the other hand, we are to adopt our policy to the altered circumstances of the time, in what point are our proposals deficient? We have heard during the Recess arguments from many quarters, and my noble Friend has spoken to-day, although I think he said he would not press it, in favour of compulsory service. What does he mean by saying that he would not press it?

THE EARL OF CARNARVON: I think I merely said I would not at this moment force the discussion on that head. I do not think I said anything more.

LORD NORTHBROOK: But, my Lords, it is a very inconvenient thing to make statements upon any subject, and then to say we are not to have any discussion on the subject. Am I to understand that my noble Friend wishes to press compulsory service on the country? If my noble Friend does press compulsory service on the country, then he must, I think, show reasons far stronger than he has adduced to-night before we accept it. And for what would the compulsory service be? I can understand any person proposing compulsory service for the Army; but, as I understood my noble Friend, that was not his proposal.

THE EARL OF CARNARVON: I never for one moment dreamt of compulsory service for the Army.

LORD NORTHBROOK: I did not suppose that that was my noble Friend's meaning. In adopting compulsory service for the Army you would have a broad, intelligible, and active principle to act upon; for by such a conscription you would have a powerful Army and be able to command a force of men equal to the forces of Prussia or of France, and able to carry out any policy which this country might deem desirable on the Continent of Europe. But if I rightly understand the position my noble Friend now takes, it is one in favour of compulsion, but not for the Army. But the whole of these military measures are intended to raise, not a militia, or a volunteer army, but an army of soldiers. And what would be the advantage of resorting to the compulsion of the ballot for the Militia? The reports issued by commanding officers of Militia show that they can obtain under the system of voluntary enlistment all the recruits they want; and the only result, therefore, of resorting to the Ballot would be to substitute unwilling for willing Militiamen. It is difficult to go into the question of the Ballot on an occasion like this, when we have no scheme before us. I do not know whether my noble Friend proposes substitutes or no substitutes, or to change entirely a voluntary for a compulsory force; but this I will undertake to say—that the argument advanced by my noble Friend in favour of the Ballot will not be sustainable when the discussion takes place. Putting aside the question of compulsory service, it appears to me that one of the main principles of Army Organization is the maintenance of a sufficient Reserve, and as the system of short service upon which the maintenance of such a Reserve depends is one of the cardinal points in the scheme proposed by Her Majesty's Government, I would like to ask my noble Friend in what particular does he deem the Government proposal insufficient? The principle of short service is the principle on which all depends—it is one of the cardinal points of the scheme, and I hope that when it comes before your Lordships — with the experience of last year—it will receive your cordial assent. I can assure the noble Earl that all these subjects have been carefully considered, and that calculations have been made of the number of men who will probably be brought into the ranks of the Army Reserve by a system of enlistment for three years in the Army and nine years in the Reserve. I believe that the additional numbers brought in by this means will in a short time produce a very effective Army Reserve, and that it will consist ultimately of no fewer than 100,000 men. It is obvious that if we take steps to obtain an Army Reserve of that magnitude another most important alteration is necessary. The *cadres* of the Infantry battalions will require to be considerably increased, and we must have greater elasticity in the organization of our Army. Having a small peace establishment, we should then be able on an emergency to place trained men in the ranks, and complete a force of infantry very much larger than we have at present. Another point to which we attach the greatest importance is that the Militia recruits shall be thoroughly trained when they first enter the service. Our proposal is that they should be trained for a period of three months after their enlistment, and it has been favourably received by many colonels of Militia whose opinions have been asked on the feasibility of the measure. My noble Friend thinks three months not sufficient; but I believe that recruits for Her Majesty's Household Troops have only four months' training before they are put in the ranks. If so, surely three months' training will be sufficient for Militia recruits. Again, we hope by the changes which will ensue from the abolition of the purchase system to find a remedy for the existing defects in regard to Militia officers. With respect to the Volunteers, we propose to insist on greater efficiency, especially in reference to the qualifications of officers. This is not the proper occasion for dilating on these points, but I mention them in passing in order to show that none of the principal branches of the service have escaped the notice of Her Majesty's Government. There can be no doubt that the general re-organization of the Regular Army is a matter of primary importance at the present time. No one can more heartily agree than I do with the eloquent panegyric pronounced by my noble Friend on the glories and the merits of the British Army; but the experience of great wars constantly alter the organization and tactics of armies; while, as military writers say, the great principles of strategy have remained unchanged from the time of Cæsar to the present day. Now, it certainly appears to me wise and necessary to take advantage of the knowledge gained by the terrible experience of other nations in order to apply all improvements to our own organization. No one can be more sensible of this than my right hon. Friend the Secretary of State, and not one of the points referred to by my noble Friend has escaped his attention, or that of the Field Marshal Commanding-in-Chief. My noble Friend asked me what was going to be done in reference to the education of officers. My reply is, that much has been done already, and that the recommendations of the Royal Commission upon Military Education have, in all substantial respects, been carried out. The illustrious Duke on the cross Benches issued on the 1st of August, 1870, a General Order laying down the conditions of the education of officers and the subjects they were to qualify themselves in for promotion from one rank to another. These conditions, I may remark, were almost identical with those recommended by the Commissioners. The illustrious Duke has also continuously directed his attention to improvements in field fortification, and fresh instructions have been issued on that subject. A Committee has also investigated the subject of an Intelligence department. I will not now discuss the Estimates, but as to the survey of the district round London it will be found that more than the sum mentioned by my noble Friend has been taken for that purpose. Having thus shown that we are prepared to utilize to the utmost the lessons derived from the experience of other nations, I wish to say a few words concerning the combination of all our forces. Up to the present time everything has been done which the law permitted to effect such a combination; but the state of the law has prevented the Government from going farther than they have done. If it were desirable to give greater elasticity to the British infantry, which appears to me to be almost essential with short service, and to have three battalions to each regiment, with such arrangements that it would be easy to transfer men from one battalion to another so as to complete regiments for service; if, on the other hand, we wished to combine the Militia with the Line regiments in such a way as that they should form part of a harmonious and uniform system, united by local names, or by conditions of service, and so giving to the auxiliary forces the great benefits of the regimental system, which has been rightly considered one of the greatest merits of the British Army; in either of those cases we find, with regard to the Regular Army, that we are stopped entirely by the system of purchase, and, in regard to the auxiliary forces, we are stopped altogether by their being placed by Act of Parliament under the command of Lords Lieutenant of counties. In the opinion of the Government the changes necessary in order that these forces shall be bound together are the abolition of the purchase system and the resumption of the command of the Militia by the Crown; and both these form part of the scheme of the Government. Therefore, whether you look, first, to the establishment of short service in the Army; second, to the better training of the Militia; third, to the proper efficiency of the Volunteer forces; fourth, to the completing and improving of the organization of the Army and its tactical efficiency; or, fifth, to the combination of the whole; there is not one point with which the scheme of the Government fails to deal. It would be inexpedient now to raise a discussion on the question of purchase; it would be better to defer such discussion until the Bill is before your Lordships. All these changes produce what I may call a radical reform in many branches of the Army; and in the preparation of these measures the Field Marshal Commanding-in-Chief has cordially assisted the Government, giving them all the support they could desire. Holding the position I do it would not be right of me to abstain from saying this; and I believe I may add that the illustrious Duke entirely agrees with the proposals of the Government. The key of the speech of my noble Friend is that he wished to avoid hot and cold fits in respect of military affairs—improper economy one day and panic another; and he appears to think that the responsibility for these things rests only upon those who are for the time being responsible for the administration of the Army. But my noble Friend's indictment applies, in every count, equally to the Administration of which he was a member, and, indeed, to every Administration for the last 20 years; and it is absurd to suppose that the short intervals of Conservative Administration have sufficed to keep alive the British Army. I venture to say, moreover, that responsibility attaches to others — namely, to the Leaders in both Houses of the Opposition to Her Majesty's Government for those fits and panics, and no one has been so great a culprit in this particular as Mr. Disraeli. What has he done in two of the greatest crises in which the military administration of this country has found itself placed? In 1857, just after the expiration of the Crimean War, when the question of military expenditure was brought before the country, he lent the whole weight of his influence as the Leader of the Conservative party to a movement for the reduction of the Estimates to the standard of 1853. Again, in 1862, when a contest of a different character had been brought to a conclusion, Mr. Disraeli gave utterance to one of those epigrammatical expressions which are never forgotten; he attacked what he called the "bloated armaments" of this country. But those "bloated armaments" of 1862 were in strength very much like those which have lately been considered entirely insufficient; and which, only the other day, he characterized in words quite as epigrammatical—as "skeleton battalions and attenuated squadrons"—and that notwithstanding that the strength of the Army at home, for the defence of these isles, even before the recent increase, was greater than when he himself ceased to hold the office of Prime Minister. It seems to me that the responsibility of the leaders of public opinion who do not belong to the Government is very great, and I wish I could acquit my noble Friend opposite from being a culprit of the same kind; but I must remind him of a speech he made in the provinces during the Recess. He thinks he is making amiable comments when he is really saying most violent and cutting things. He proposes nothing himself, but says he is dreadfully surprised at hearing Mr. Cardwell's statements, and that he is not satisfied with half-and-half recommendations and milk-and-water principles. I complain that statements are made by my noble Friend and others who, having occupied positions of high importance in public affairs, are looked to as leaders of opinion in this country, without sufficient information; and while they are ready to criticize and accept for the purpose of criticism any statement from whatever quarter it may come, they are willing to give no credit to those who are entrusted with the responsibility of the administration of a department while Parliament is not sitting. So far from believing that the proposals made by the Government for the organization of the Army are insufficient or extravagant, I believe that, when your Lordships consider the measure itself, you will be of the opinion that those proposals have been framed not only with due regard to the necessities of this country, but also with due regard for that economy without which no military measures can have a permanent character. My Lords, I have only in conclusion to say with respect to the Returns for which the noble Earl moved, that there will be no objection to produce them with a slight modification in the first, showing what progress has been made in the works of fortification, instead of simply showing whether they are complete or not. My Lords, I have to thank the House most sincerely for the kind attention they have paid to me in fulfilling a task of great difficulty, having had to deal with questions partly of great principles and partly of minute detail without that preparation beforehand which it would have been much more satisfactory to me to have given, because I should then have been able to condense my remarks within a space and time not so unreasonably inconvenient to your Lordships.

THE DUKE OF CAMBRIDGE: My Lords, I hope I may be allowed to say a few words on this important subject. The subject is so difficult that a good deal has been said on both sides as to what ought and what ought not to be done. I certainly have no wish to enter into the controversy in any way; but, as in the position which I have the honour to hold I am in a great measure responsible for the efficiency of the Army, it would ill become me to allow such a subject to pass without making a few observations. But they shall be very few, and for this reason—that I think questions of this sort will be much more easily and satisfactorily discussed when we have the proposed measure before us. I am sure my noble Friend will excuse me for the observation; but I confess that I came into the House this evening without really knowing what would be the exact subject of debate. I confess, looking to some of the remarks of my noble Friend, it was almost impossible to know what was to be the direction of the discussion; for the debate has gone much beyond the subject-matter before us, and no one could be prepared to meet offhand all the questions that have been raised in the way they ought to be met. Therefore I hope to be excused by your Lordships if I show any shortcoming on this occasion. Your Lordships will understand that it arises not from any want of interest in the subject, or of respect to the noble Earl, but because I think the subject would be better discussed when the details of the Ministerial Bill are before us. As a matter of general remark, I venture to think that the intentions shadowed forth lie in the direction which the circumstances of the case demand, and which have been so much discussed by the country. The subjects which have been brought under your Lordships' notice are matters which fall more immediately within the responsibility of the Secretary of State than of myself. Military questions have been much less before your Lordships than other portions of the case. I therefore reserve to myself the opportunity of making what observations I think necessary on these subjects on some other occasion. But I have no hesitation in saying I think it is fortunate that we are endeavouring to amend the present constitution of our military forces rather than to introduce an entirely new system. The Government have endeavoured to extend the Reserves of the country—to increase the means of finding an Army for defence more than for offence—for offence is certainly not intended by the measures they have propounded—on the principles on which the Army has hitherto been founded, with the exception of limited service, which has been introduced to a large extent. Now, if limited service can be applied in the manner proposed, and if we can get good men under it, that, I believe, will be the simplest and easiest way of increasing the Reserves of the Army. It is a problem, however, that time alone will solve, and we must hope that the measures which have been commenced, though hitherto small in result, will expand our resources, and that it will be found practicable to have larger and more efficient Reserves. I quite accord with what fell from my noble Friend (Lord Northbrook), that the Army, having been weeded of inefficient men, is to that extent more efficient. With reference to the artillery, it has been supposed there was something like jugglery between the reduction of Indian artillery and the increase of artillery at home; as if the object really were to throw dust in the eyes of the public. But I hope the House will understand that, so far as we are concerned, there has been nothing of the sort—I am sure the noble Duke the Secretary of State for India will endorse what I say—it has long been in contemplation to make certain reductions in the artillery in India for financial considerations, and advantage was only taken of this opportunity of carrying that proposal into effect. It was also supposed that the batteries were not strong enough in men, and therefore it was intended to increase the number of men in the batteries in India, and to bring a certain number of skeleton batteries home. But the plan emanated with India itself; and, personally, I should have been glad if it had not been so, because we should have had a certain amount of promotion, which would have been gratifying to the artillery at home. But that was impossible, and I wish to put it clearly before the public, that this was an Indian and not a home question. My noble

Friend seems to be under the impression that the artillery is not so largely increased as he would wish; but I think it will be found to be largely increased, not only in the number of guns, but in the number of men. It is essential that a corps like the artillery should be as efficient as possible; and, as Artillerymen take longer time to make efficient than men in other branches, the intention is to increase the artillery more largely than any other branch of the service. In the same spirit it is intended to increase the cavalry, as they, too, require longer time to make efficient than the infantry, which can be more quickly brought up to the desired strength. At the same time, this is a matter that must be looked to with great care; and, although men may be sufficiently drilled to come into the ranks in four months, and may make remarkably good soldiers in a well-disciplined regiment with old soldiers by their side, yet I do not quite agree with my noble Friend that these men can be trained in the Militia and made efficient soldiers in three months. I happen to have seen a statement of General Moltke, in which he distinctly says that a man is not a first-rate soldier till he has served three years in the ranks. This was really the basis on which the Bill of last year proceeded, so that we have actually admitted the principle.

LORD NORTHBROOK explained. All he meant to say was, that three months might be sufficient for a Militia recruit to put him into the ranks of the Militia.

THE DUKE OF CAMBRIDGE: I am delighted to have given my noble Friend the opportunity of making that explanation. But I go beyond the expression of my noble Friend; for the Bill of last year placed the minimum at three years. The Government has, therefore, adopted the just and proper period. However, these are details which we shall have a better opportunity of discussing when the Bill comes before us. I only wish the House should understand the reason why I do not now enter into the discussion at length. I have endeavoured, not in a political capacity—for in my position I have no politics—but in a military capacity to assist the Government in carrying out their measures. I only hope, whatever the result, it may be satisfactory. I have one other remark, my Lords, to make. It is a personal one. It has been frequently said of late that I am one of those who are not disposed to go with the spirit of the age, and to improve the condition of the Army in various ways. But I beg most distinctly to assure your Lordships—though the assurance, I should hope, was scarcely required—that, from the first day I entered on public life till the present hour, I have endeavoured to the utmost of my power to support every measure for advancing the comfort and efficiency of the British soldier. I am not aware of ever having resisted any measures of the kind, but, on the contrary, I have always endeavoured to promote all those measures which I believed to be most conducive to the best interests of the service, and calculated to place our Army, small as it is—too small, I believe, for the present circumstances of the age—in an efficient condition, as I firmly believe it is at present.

THE DUKE OF RICHMOND: My Lords, the noble Lord who spoke second in the discussion (Lord Northbrook) told your Lordships that he was a young Member of this House; yet he ventured to give my noble Friend near me some advice. He said it was extremely inconvenient to make a Motion of this kind dealing with a variety of questions, which were at present under the consideration of the other House, and then the noble Lord himself proceeded to reply to a speech of mine made on the first night of the Session. If I am not mistaken, the noble Lord was in the House upon that occasion, and that, I submit, would have been the proper time to contradict anything which fell from me, if the noble Lord thought I had made any incorrect statement. I then stated that Lord Russell had written a letter in which that noble Lord stated that Mr. Cardwell's mission was retrenchment. I also said that at the General Election it was stated on the hustings that retrenchment was the watchword of the Government.

LORD NORTHBROOK: Retrenchment with due regard to efficiency.

THE DUKE OF RICHMOND: Would anyone, in addressing his constituents, dare to say that he was going to Parliament to support measures of retrenchment, but with regard to efficiency he did not care one farthing on the subject? Towards the end of his speech the noble Lord put words into the mouth of the illustrious Duke—

LORD NORTHBROOK: I am not aware that I put any words into the mouth of His Royal Highness. I merely said first, in alluding to certain improvement which the illustrious Duke had carried out, that in respect to those matters it would perhaps be better for me rather than the illustrious Duke to state what he had done. There was another case—

EARL GREY rose to Order. He said it was most irregular for the noble Lord to contradict another noble Lord in the course of his speech. If the noble Duke misrepresented anything, the noble Lord should wait until the termination of the noble Duke's speech, and then make whatever explanation he thought desirable.

THE DUKE OF RICHMOND: I must apologize if I have misrepresented the noble Lord. The noble Lord having answered various statements made by me on the first day of the Session, went into the whole of the Government scheme with respect to the Army, replied to a great deal which my noble Friend near me (the Earl of Carnarvon) said and did not say, and apologized for his long statement by saying that he was also answering remarks made out-of-doors. Certainly, there was a great deal more irregularity in that course of proceeding than in anything which he found fault with in the conduct of my noble Friend. The subject of barracks was touched on by my noble Friend, and I can state that Christchurch Barracks were all but sold within the last 12 months for £1,500. They were, however, rescued from that fate, and they are now about to be occupied by a force in Her Majesty's service. I understood the noble Lord to say that some of the arsenals were in a complete state of fortification, and that some had been delayed in consequence of a change in the artillery, the guns being heavier than formerly. The effect of this course of proceeding is, that you will never be able to complete these forts until you arrive at an absolute state of perfection. I will not go into details as to whether the battery at Wimbledon was complete or not; but I will remind your Lordships that the statement was not that the battery was not complete, but that, to complete it, other batteries had to give up their horses. With respect to training, I ask, if you put a recruit of four months' training into the ranks, what sort of exhibition would he make? From my own experience in one of Her Majesty's cavalry regiments, I know that it takes more than a year to make a finished cavalry soldier. On this, as on other points, the noble Lord has been misinformed. This is a very large question. I quite agree that we cannot discuss the Government system as a whole, and it would be inconvenient to attempt to do so until we have it before us. Indeed, I should have been glad to have passed over anything connected with the Government scheme had it not been for some remarks made by the Under Secretary for War to which I cannot assent. I will only now allude shortly to one of many points—the abolition of purchase; and I feel bound to say that before abolishing this system the Government were bound to do three things—they must show, first, that the existing system is a bad one; secondly, that it has worked badly for the country; and, lastly, that the officers now in the British Army and their predecessors for a long series of years were not good officers, and did not properly lead their men in the various battles which are now matters of history. In the next place you have to show that the system you are about to substitute for it is a good system, and one which can be properly carried out. But above all—and I quite concur in the remark made on this point by the noble Lord opposite—the taxpayer must be considered, even in the House of Lords. You must show the taxpayer what he will have to pay if you abolish purchase, and come to the system of retirement—which purchase will render inevitable. So far as the country is concerned, the purchase system is the cheapest you can have, and you are bound to show what will be the expense of abolishing it. The noble Lord himself (Lord Northbrook) will be candid enough to admit that it is perfectly easy to show not only the expense of buying up all the interests which at present exist under the purchase system, but the expense of a scheme of retirement, and I think that information should be laid before the country. There is another subject on which I cannot forbear to remark, even in the presence of the illustrious Duke. The position of the illustrious Duke with regard to the Army of this country does not form part of the Government scheme, and, therefore, there is no irregularity in mentioning it. Those who have taken an interest in military affairs, as I have done for a very long time, must have been struck with the many speeches which were delivered, and the many statements which were made last year with regard to the position of the Commander-in-Chief. Scarcely a man in the country, except, perhaps, the Secretary of State, has, during the Parliamentary Recess, had more abuse lavished upon him than the illustrious Duke. Now, I believe it to be absolutely necessary to the interests of the Army that the officer Commanding-in-Chief should be a permanent officer. I can conceive nothing so bad for the Army as that its military chief should be selected by the Secretary of State, and should only serve for a term of five years. We all know what changes of government take place in this constitutional country. Now, if the Commander-in-Chief were appointed in this way, the Parliamentary pressure that would be put upon him would make it of the greatest possible difficulty for him to do his duty. Even a permanent officer in the position of His Royal Highness finds the duty of selection one of the greatest difficulty. Unless, then, the strictest and most positive rules are laid down for the selection of officers, an officer who is superseded will inevitably think he has a grievance. Your Lordships will recollect the case of an officer who was not thought fit for promotion, and who for the last ten years has been litigating with the authorities on the matter. You, therefore, want at the head of the Army one who is entirely above suspicion, one independent of all political influence, and who in these respects gives to the Army and the country the satisfaction which, if I may venture to say so in his presence, is given by his Royal Highness. In my opinion, it would be most unfortunate for the Army if we had any other system of administration than that which now prevails, and we hardly required the assurance of the illustrious Duke that he has always carried out the views of the Government of the day as far as he could do so. Ten years ago, in a debate upon the second reading of the Mutiny Act, His Royal Highness said that, as far as he was personally concerned, it should be his earnest and anxious endeavour to carry out the decision then come to in such a manner as to promote the best interests of the Army and of the country. I believe that His Royal Highness has acted most strictly and judiciously on the opinions he then uttered, and I think the country is extremely fortunate in having at the head of the Army one who is so thoroughly and practically acquainted with all the details of the regimental system, and the whole system of military discipline and promotion. Before concluding, I wish to ask the Under Secretary for War a question with regard to the position of Sir Henry Storks. What is the exact office he holds?

LORD NORTHBROOK: Surveyor General of the Ordnance.

THE DUKE OF RICHMOND: Is that a permanent office? Or would he go out with the Ministry? I see that he has just been returned to represent the borough of Ripon in Parliament, and I think we have a right to know whether his is a permanent or a political office; whether in case of a change of government he would expect to go on as before.

EARL GREY: My Lords, no more vital question can occupy our attention than that of the sufficiency of the national defences; I think, therefore, we have reason to thank the noble Earl (the Earl of Carnarvon) who has brought this subject under our notice, and I own I was surprised that the Under Secretary should have found fault with the introduction of this subject at such a time as the present. He must remember that the Estimates never came before this House at all, and that the Government measure embodying the changes proposed in our military system will probably come before us at a very late period of the Session. If, therefore, we waited to discuss this matter until that Bill came before us, the Estimates would by that time have been voted, and we should practically be debarred from discussing at all, to any useful purpose, the important question of the military policy of the country. The course taken by the noble Earl is, in my opinion, perfectly regular and Parliamentary. I heard with pleasure a great portion of the speech of my noble Friend (Lord Northbrook). I was very glad to hear my noble Friend opposite early in his speech enter his protest against compulsory service, for I am persuaded that there could be no greater mistake than to attempt to force such a system upon this country. As he said, no one proposes to introduce it for the Army, but to adopt it for the Militia would be to adopt the system with all its hardships and none of its advantages. My noble Friend behind me (the Earl of Carnarvon) has talked of the enormous expense of the English Army as compared with the Army of Prussia, and has contrasted the £7,000,000 which Prussia pays for her Army with the £15,000,000 annually expended on our own; but that comparison I believe to be most fallacious. It may be true that the Prussian Army costs to the State in money paid from the Treasury no more than £7,000,000 a year; but how much more does it cost in the indirect burden which it throws upon the people? The Prussian Army is so cheap, because you compel all ranks among the population to serve for very inadequate remuneration. We, on the contrary, are obliged to pay a fair market value for the services we require, because we do not resort to compulsion. We get no one to serve in our Army who does not receive what he himself considers a fair remuneration for the work which he performs. Again, in Prussia you not only get this service for comparatively nothing, but you expose the whole country to the enormous burden of having a very large proportion of the civil population withdrawn during some of the best years of their lives from the business which they are afterwards to follow, thus diminishing the productive power of the country; so that if the cost directly and indirectly of the Prussian Army were compared with our own, we should, I think, have no reason to be ashamed of the comparison. Now, my Lords, I think it would be a very mistaken policy to support in times of peace an Army upon the same scale as we should do in times of war. The expense of such an Army would be intolerable, while it would excite the just jealousy of other nations, and thus tend to perpetuate that system, which has unfortunately prevailed in Europe for some years, of keeping the military establishments of nations in a state of permanent preparation for war, which has had the effect not only of imposing upon them a large part of the burdens of war in times of peace, but also, as I believe, of making war itself more probable. But, at the same time, it seems to me absolutely necessary that we should have such arrangements for the defence of the country as will enable us to defend ourselves effectually in case of sudden danger; and your Lordships have to consider whether the arrangements now in progress are sufficient to afford us that real security which we ought to look for against sudden invasion. Looking at what has happened during the past year; looking at the suddenness with which war broke out, and the quickness with which enormous numbers of troops were put in motion; looking, too, at the merciless manner in which the conquered have been treated by those who have hitherto boasted of their superior civilization, but who, I think, must henceforth forfeit all claims to that distinction, this country is bound, in my opinion, not to trust for its exemption from the cruel exactions of foreign generals and soldiers to anything but its own power of repelling attack. Nor do I forget that, after all, our main reliance must be on our naval force. I do not underrate the enormous advantage we possess in having between ourselves and the military nations of Europe what has been called "the silver streak of sea." But we must not trust exclusively to this. Though extremely improbable, I can conceive it possible that by an unfortunate combination of circumstances an expedition, not upon a very large scale, might, in spite of all we could do, succeed in reaching our shores. And we should be in great danger if such an expedition could do us any great injury. If we were so strong at home that to send a small force against us would be to send it to certain destruction our situation would be different. To assemble a large Army and to make the necessary preparations for bringing it over would require much time, and the preparations which would have to be made could not well be concealed, and we should thus have time to make our preparations also. Nor is this all. To carry a large Army across the sea with its artillery and stores would require a multitude of vessels, which so loaded, it would be extremely difficult to keep together and to protect. Our unencumbered iron-clads and gunboats would have such facilities in attacking a naval expedition of that kind that it would be extremely difficult for it to effect a landing. Seeing, then, the almost insuperable difficulties standing in the way of any hostile expedition upon a really large scale effecting a landing on British territory, I, for one, should be satisfied with such a state of things as would enable the Government immediately after the breaking out of war to assemble a force sufficient to crush an expedition, not amounting to a large Army, as soon as it should land upon our shores. But, my Lords, is that the case? I find that on the 1st of August last year the whole of the Regular force within the United Kingdom was 84,000 men. I find it stated that, even with the increase now provided for, the Regular force within the United Kingdom is calculated during the present year at only 108,000. To that are to be added, of the First Army Reserve 9,000, and of the Second Army Reserve and Pensioners 30,000. Therefore, you have only 147,000 men, all told, connected with your Regular forces. But I cannot suppose that all your Pensioners are fit for service, or that the whole of both classes of the Reserve can be considered equivalent to troops of the Line; so that we must look at something very much under 150,000 as the total of our Regular Army that we could command in time of war. When you consider the force required to garrison Ireland and our one great arsenal, and to protect our dockyard, when you make the requisite deductions for sick, and when you add the consideration that you cannot be sure that an attack might not be made simultaneously at different parts of our coast, no man, I think, will say that our force is sufficient to leave us the assurance that an enemy landing on our coast, though only in moderate strength, would be certain to be driven into the sea. But then we are reminded that we have also the Volunteers and the Militia. The Volunteers and the Militia are, no doubt, a very useful force within certain limits; but it is quite idle to talk of their being really available for active operations in the field at the commencement of a war. The Militia, though a very costly force in proportion to the advantages we derive from it, has been brought to a state of comparative efficiency, reflects great credit on its officers, and would, no doubt, be capable of rendering in some ways very useful service. I cannot include it, however, among the available force which may be reckoned upon in case of emergency for active service in the field. There are, I know, some persons who say that the Militia is a very efficient force, and who consider it to be unduly disparaged when it is excluded in reckoning the amount of force we should have available for the field at the beginning of a war. At all events, it is contended it was found to be of the greatest possible advantage to this country in the last great war. I wish the following facts to be considered by those who regard the subject in this light. It is perfectly true that after the great Revolutionary war had been going on for some years, the Militia having been constantly embodied since the outbreak of the war, became a force not much inferior to the Line; but it was paid like the Line; it was managed like the Line; and in everything but name it constituted a portion of the Regular Army. At the beginning of the war, however, the Militia was nothing better than an armed rabble, and it required much labour and time to bring the force into the state of comparative efficiency which it subsequently attained. In the early part of that great war the officers intrusted with the defence of our coasts took little or no account of the Militia regiments under their orders in reckoning what force they could command. The advocates of the Militia say that in six months it would become a useful force; but we should not have six months to prepare —probably, not six weeks; possibly, not six days. Therefore I say the Militia is not to be reckoned on as an effective force for taking the field against an enemy who might succeed in landing on our shores at the beginning of a war. You have one method, and one only, of providing for your safety. In consequence of the expense and burden on the country you cannot constantly keep up a large Army in time of peace. On the other hand, you cannot trust to undisciplined or half-trained troops to meet disciplined troops. The advantages which thoroughly trained soldiers have always had over those who have not been so trained have been enormously increased by the improvements of late years in the weapons and the art of war, and it is now simple madness to pit partially-instructed troops against such soldiers as we should have to fight if we were again involved in war. It follows, therefore, that what you really want is a means, when a war breaks out, of adding to the Regular Army at almost a moment's notice, such a number of thoroughly trained men as will give it the force necessary for all operations. I was glad to hear my noble Friend the Under Secretary of State say that what we ought to look to was a powerful Reserve in connection with the Army; but I wish the Government had postponed the unwise reduction made last year until the Reserve had existed in something more than imagination. My noble Friend has defended with great ability, but not with equal success, the reduction of the Army last year. He says the Government dismissed 20,000 soldiers; but that some of them were bad characters and others nearly worn out, and that now we are getting a better class of men in their place. My noble Friend has quoted the authority of the Commander-in-Chief to show that reduced battalions of 500 good soldiers may be better than battalions of 600 in which there are 100 inefficient or bad ones. Yes, but not better, as the illustrious Duke has pointed out, than battalions of 600 good soldiers. I do not dispute the wisdom of discharging the bad soldiers; but surely their place ought to have been filled up at once. Again, my noble Friend says — "We have concentrated our force at home, and have as many men, or rather more, at home now than we had in former years." Surely, however, my noble Friend must perceive that, in considering what is our available force for defence at home, we must not merely consider the soldiers who are at this moment within the four seas, but those who, before this concentration was effected, might be recalled from some of the Colonies on a very short notice. I am of opinion that what my noble Friend calls concentration has been carried a great deal too far; and I may also remark that there were some great advantages in keeping a portion of our troops in the Colonies. They do not in some of the Colonies cost more than they do at home, and are even more favourably placed for health and discipline. The means now exist of bringing them very quickly home if they are wanted; it is therefore an obvious fallacy, in comparing the amount of troops you can command to meet an emergency, to count only those at the moment in the United Kingdom, excluding those available at short notice. But, whether the policy of concentration has been carried too far or not, I do maintain that to reduce our standing force, either at home or abroad, before the creation of the contemplated Reserve, was a most imprudent measure. Though the actual breaking out of the war last year was very sudden, yet for three or four years at least threatening symptoms had been observable on the Continent; ever since 1866 France had been extremely discontented with the changes which had taken place in Germany, and Germany, on the other hand, resented the disposition shown by France to interfere with her. The occurrence of war on the Continent ought not to have come upon the Government as an entirely unexpected event, and it should have found us with a respectable force available. As the intended Reserve was still to be created, this force could only be furnished by the Regular Army, and it was therefore imprudent at such a time to reduce its numbers. This was also unwise for another reason. You cannot speedily create a reserve of trained soldiers unless you have a large regular Army from which men may take their discharge. My noble Friend says we may ultimately have 100,000 men for a Reserve. Well, I want to see that Reserve made; but, in order to bring about such a result, we ought temporarily to keep up the Regular Army in excess of what we mean to maintain it at permanently. In fact, it is only by taking that course that the Reserve can be formed. If the Army had not been reduced last year, and if, at the same time, Her Majesty's Government had encouraged soldiers to take their discharge at early periods, we might by this time have made considerable progress towards forming a Reserve. Her Majesty's Government had the means of doing this without passing the Act altering the terms of enlistment, and I continue to think that passing that Bill last Session was a mistake, for the reason I then stated—that frequent changes in the terms of enlistment confuse men's minds and are exceedingly mischievous in every respect; and I still think it would have been better if the Government, without altering the law in any way, had given notice that applications to leave the Army and join the Reserve would be favourably received. I therefore venture to say Her Majesty's Government have made a great mistake in not more largely increasing the Regular troops until they can form a more considerable Reserve. I am quite aware that the expense of that will be urged as an objection to the proposal. I shall be told that the Government have gone as far as they could in adding to the Army Estimates, and I will admit that these Estimates are unduly heavy; they are, in my opinion, heavier than they need have been, while the country might have been more effectually protected if our military administration had been more judiciously conducted than it has been for the last few years. Without adding a single farthing to the amount which the Government propose to demand, they might have made a considerable further addition to the Army. The measures for the improvement of the Militia are calculated to cost the country £400,000 in the ensuing financial year; if that money had been devoted to the increase of the Regular Army, according to the calculations of my noble Friend opposite, (Lord Northbrook) it would have given a further increase of 10,000 men. That would have been a very substantial increase of the Army, and an increase, too, of the means of feeding your Army Reserve; and I ask whether, in view of a sudden emergency, an addition of 10,000 men to the Regular Army would not have been more useful to the country than the proposed improvement of the Militia? This is not the time to discuss the proposals affecting the Militia; but I cannot help saying I am afraid my noble Friend has fallen into the great mistake of taking a middle line between two opposite policies, and incurring the inconveniences of both, without obtaining the advantages of either. I am afraid that, by the additions he is going to make to the Militia, he will increase its numbers more than is necessary for the peculiar service for which alone the Militia is intended; and he will further do this without making the Militia into soldiers, and he will discourage men from enlisting into the Militia. From what I have heard, I am inclined to think that requiring three or four months' drill of every Militiaman before he is to be considered a soldier will deprive you of some of the most useful classes who now enlist into the Militia. A Northumberland adjutant, an exceedingly able officer, wrote to me

Earl Grey

the other day, saying it was a great mistake to suppose that the same classes enlisted into the Army and into the Militia; in truth, he said, the two were recruited by quite different classes, and he stated that many of the artificers and men employed in the great works on the banks of the Tyne joined the Militia, though their pay in it is far lower than the wages they habitually earn, for the sake of enjoying a month's relaxation at reduced pay, and being of service to the country. We could not enlist a more valuable class into the Militia artillery, and it would be a great misfortune to discourage them entering it; but I believe that by prolonging the term of drill for recruits you will do so; and the addition to the time will be quite thrown away as far as regards making the men into anything like regular soldiers. My noble Friend said that three months' training ought not to be so very insufficient for Militiamen, when four months was sufficient to enable a man to take rank in the Guards; but the fallacy was admirably exposed by the Royal Duke who spoke afterwards, and who showed that, although four months' drill might enable a small percentage of men to take their places in a regular, well-drilled regiment without serious inconvenience, it would be totally different if the whole force were composed of men of that description. And when a Guardsman takes his place after four months' drill, his education does not stop, but it is continued for two or three years more; and I firmly believe that the illustrious Duke was right in saying that to make a really efficient soldier a training of at least three years is required. But the education of the Militiaman stops; and therefore it appears to me to be a great mistake to spend £400,000 a year upon the Militia when, by applying the money in another way, you could have your full money's worth in an increase of the Regular Army. I further believe the Government are making an injudicious appropriation of money in proposing the immediate abolition of the system of purchase. I remain of the opinion I have long held, that, in spite of objections to it, the purchase system has not worked badly. In abolishing that system, I believe you will find it a matter of extreme difficulty to establish any system of retirement which will make so rapid a current of promotion in your

Army as to make that Army efficient. Undoubtedly, hitherto, the Government have not solved the problem with regard to the seniority corps in our service, and I should have wished them to have solved that problem with respect to the Artillery and Engineers before they proceeded to abolish purchase in the rest of the Army. Even if all the benefits anticipated from the abolition of purchase should be realized, it is not a subject of pressing importance, for our regimental system has supplied us, on the whole, with an admirable body of regimental officers. The matter is not so pressing that you ought to apply to it so large a sum as £8,000,000, until you have attained other objects that are of more immediate importance. I will only mention one, which it is remarkable the noble Lord (Lord Northbrook) passed by in his very able answer to my noble Friend behind me (the Earl of Carnarvon). I do not remember any other important point in his speech which was not noticed by my noble Friend opposite; but this he did not touch upon, feeling, no doubt, that it was difficult to deal with. I refer to the importance of having some other arsenal besides Woolwich. Seeing how exposed it is to hostile attack, it is the height of imprudence to leave it our only great military and naval arsenal, and we ought to have another place where we can upon a large scale manufacture great guns and equipments for the Army. I think another arsenal like that at Woolwich is required, and that opinion was held, and admirable reasons were given for it, by the Commission which inquired into the matter several years ago. It would have been more judicious on the part of Government to have done something towards meeting that great need than to spend so much money in the abolition of the purchase system. But, unfortunately, popularity was to be gained by the one expense, and only the good of the country by the other, and in deciding upon their measure, popularity, and popularity alone, is the guide of our Government.

EARL DELAWARR thought it advisable that the Army should be divided into two portions; one to be enlisted for 12 years for service abroad, and the other for three years for service at home. At present a man who enlisted never knew what his destination would be, and this prevented many men from entering the service.

Motion, as amended, *agreed to.*

"That an humble address be presented to Her Majesty for,

List of the works recommended by the Defence Commission of 1859, with a statement of the present condition of the works authorized to be constructed, specifying whether they are or are not complete:

The number of tents and tent equipages now in store, exclusive of officers and hospital tents:

The amount of barrack accommodation in England and Scotland, specified according to districts and counties:

The barracks and barrack grounds sold or disposed of within the last two years."—(*The Earl of Carnarvon.*)

House adjourned at Ten o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 23rd February, 1871.

MINUTES.]—NEW MEMBER SWORN—Jeremiah James Colman, esquire, *for* Norwich City.

SELECT COMMITTEE — East India Finance, *appointed;* Diplomatic and Consular Services, *appointed.*

PUBLIC BILLS — *Ordered* — *First Reading*—Endowed Schools Act (1869) Amendment* [55]; Steam Boilers Inspection* [56].

Second Reading—Ecclesiastical Titles Act Repeal [27]; Mines Regulation [16]; Inclosure Law Amendment [32], *debate adjourned.*

Third Reading — University Tests* [6], and *passed.*

IRELAND—NATIONAL SCHOOLS.

QUESTION.

MR. RAIKES asked the Chief Secretary for Ireland, Whether the Government intend to take any steps, during the present Session, to protect the masters of National Schools in Ireland against arbitrary removal by the patrons or managers of those establishments?

THE MARQUESS OF HARTINGTON said, in reply, that the National Schools were not the schools of the National Board, but of the managers; and from the very first the managers had had the power of dismissing teachers of whom they did not approve. It might be some satisfaction to the hon. Member if he informed him that a resolution was recently agreed to by the central committee of the Irish Teachers Association, to the effect that, in consequence of the opinion lately expressed in various quarters by persons eminently entitled to its respect and esteem, condemnatory of any agitation by the teachers of Ireland in regard to managerial rights, the executive committee of the central association earnestly and respectfully suggested to the provincial association to stay all further action on the question, and to work unitedly and determinedly for the redress of their grievances.

Mr. RAIKES said, that on an early day he would call attention to the hardships now inflicted on the masters of National Schools in Ireland.

Mr. MAGUIRE asked the Chief Secretary for Ireland, If the Government intend to propose any plan for the improvement of the position of the National Teachers; and, if so, when he will be ready to explain it to the House?

The Marquess of HARTINGTON, in reply, said, the Government were quite aware of the necessity of making some improvement in the position of National School teachers in Ireland. Since his accession to his present Office, he had been in communication with the Commissioners of National Education on the subject, and as soon as he was fully in possession of their views the matter would be duly considered. The proper time, he conceived, for explaining the intentions of the Government to the House would be on the discussion of the Education Estimates; but, possibly, he might be in a position to make some general announcement on the subject at an earlier date.

ARMY—COMMISSIONS TO PAST CANDIDATES.—QUESTION.

Mr. STEPHEN CAVE said, he had given Notice of a Question to the Secretary of State for War in reference to the course it was proposed to take with reference to the appointment to commissions in the Army of those candidates who passed their examination in the autumn of last year. As that Question was substantially answered by the reply to the noble Lord the Member for West Essex (Lord Eustace Cecil) last Monday, the Secretary of State had allowed him to ask him a Question on that answer. He said that candidates who passed their examination last autumn would be admitted to commissions "subject to conditions for insuring competency." He wished to ask whether it was intended that they should undergo another examination?

Mr. CARDWELL: No. These commissions will be issued without purchase; and I meant to say that, in consideration of that great advantage, certain conditions would be laid down for insuring the efficiency of officers during their progress in the service.

RUSSIA—THE EMPEROR OF RUSSIA AND GENERAL FLEURY.—QUESTION.

Mr. W. C. CARTWRIGHT asked the Under Secretary of State for Foreign Affairs, Why the Despatch of Sir Andrew Buchanan of the 9th day of September, reporting a Communication by the Emperor of Russia to General Fleury, and which Despatch is referred to at page 84, Despatch No. 137, of the Correspondence respecting the Franco-German War, is not given in the volume?

Viscount ENFIELD: Sir, I am not surprised that my hon. Friend should have called the attention of the House to the omission in question, and Lord Granville regrets that, through an oversight, he should have referred in a public despatch to one of a confidential character; that despatch referred to a conversation between the Emperor of Russia and the French Ambassador, to which Sir Andrew Buchanan was not a party, but the substance of it was confidentially made known to him and reported in the same confidence to Her Majesty's Government. For this reason it would be impossible to publish the Paper in question, as the doing so would involve a breach of confidence.

ADULTERATION OF WINES.

QUESTION.

Sir JAMES LAWRENCE asked Mr. Chanchellor of the Exchequer, If his attention has been called to a statement in the public Press that a recent test of sherry wines, described to be of superior quality, has shown that they were adulterated with an acid highly injurious to health; whether it be true that the adulteration took place in the Docks with the knowledge of the officers of Customs; and, whether the officers of Customs have received instructions to afford every facility for the adulteration of wines in bond provided the owners declare such adulteration to be for the purpose of fortifying the wines?

THE CHANCELLOR OF THE EXCHEQUER: In answer, Sir, to the hon. Baronet I have to state, first, my attention has not been drawn to this subject otherwise than by the Question he has been good enough to address to me. In the second place, I have to state that I have made inquiry, and am informed that no adulteration has been carried on with the cognizance or permission of the officers of Customs; and, in the third place, that we do not give orders to the officers of Customs to tolerate any adulteration whatever, but their orders are of this nature—that they are to permit persons having wines in bond to fortify those wines—["Hear, hear!"]—which, as hon. Gentlemen are aware, is absolutely necessary for their preservation. And we also permit them in case of the wines becoming cloudy to use some means for refining them. But the officers are strictly forbidden from allowing any adulteration.

SIR JAMES LAWRENCE: I give Notice, then, that I shall move for a Return of the quantity of Hamburg and other spirits used in the Docks for fortifying wines.

PUBLIC SCHOOL STATUTES.

QUESTION.

MR. STONE asked Mr. Solicitor General, Whether the Queen in Council has refused her assent to the Statutes framed by the Public Schools Commissioners for constituting the new governing bodies of certain Public Schools; and, if so, on what grounds; whether, in preparing new Statutes, the Commissioners will reconsider the question of requiring the Governors of Harrow and Winchester to be members of the Church of England; how long he thinks it will be before the new governing bodies will all be constituted; and, whether he intends to ask Parliament further to extend the time allowed to the new governing bodies for making Statutes, which time, by the Act now in force, will expire on the 31st July?

THE SOLICITOR GENERAL said, in reply, that it was quite true that by an Order in Council dated the 8th instant Her Majesty had signified her disapproval of the statutes made by the Commissioners in February and March, 1870. Her Majesty did not, however, disallow the statutes last sent to the Privy Council, because it turned out that by the operation of the Act the sending back of the first set of statutes to the Commissioners for re-consideration, upon the recommendation of that House, was an excess of power on the part of the Crown, which could only allow or disallow them. The second set of statutes of the Commissioners were, therefore, made without authority. The matter would now be forwarded with all possible despatch. It might be that, in consequence of the delay which had occurred through that misapprehension on the part both of the Commissioners and of those who wished for the alteration of the statutes, the time would be too short for the Governing Bodies of the schools to make the necessary arrangements. If so, it would be only fair and right that those Governing Bodies should have a reasonable time allowed them for taking the initiative, just as if no such mistake as he had described had occurred.

ARMY—CENTRAL ARSENAL—UNIFORM OF VOLUNTEERS.

QUESTION.

CAPTAIN DAWSON-DAMER asked the Secretary of State for War, Whether he has taken into consideration the urgency of forming a second Arsenal in a central position in England, such as Cannock Chase, abounding in coal; and, whether all Volunteers, with the exception of the Artillery corps should be clothed in scarlet?

MR. CARDWELL said, in reply, that the subject of the formation of a second central arsenal had long been under the consideration of the Government, but that no proposal for the creation of such an establishment had yet been adopted, and, therefore, no sums on account of it appeared in the Estimates for the present year. With regard to the clothing of the Volunteers, as he had stated the other evening, that while he thought it desirable there should be uniformity in their dress, it was a matter which was left to be regulated by the Volunteers themselves.

SCOTLAND—TRAINING SCHOOLS.

QUESTION.

Mr. MILLER asked the Vice President of the Committee of Council on Education, Why, in the New Code of Regulations laid upon the Table of the House, and based on the consideration of the various sections of "The Elementary Education Act, 1870," an alteration has been made in the syllabus of study in Training Schools in Scotland; and, whether he has considered the inconvenience that may arise inasmuch as that Act does not apply to Scotland, and the arrangements for teaching in such schools for the current year have been made according to the regulations now in force, and are already in course of being carried out?

Mr. W. E. FORSTER said, in reply to the first part of the Question of his hon. Friend, that the alteration which had been made was not in the Code, but in the syllabus of training schools, and this had been laid on the Table. The Elementary Education Act of last year had no direct relation to training schools; but it became necessary for the Government to consider the position in which they were placed in regard to those schools, and especially they had to consider the question of religious instruction that might be given therein. Hitherto religious instruction in the training schools in Great Britain had been inspected by the Inspectors appointed and paid by the Government. The opinion of Parliament had, in the view of the Government, been clearly declared during the passing of the Education Act last year to be that while on the one hand opportunity should be given for religious instruction, on the other hand there should be no payments out of the taxes towards religious instruction in schools, and although there was no mention made of training schools in the Act, the Government felt it was their duty to carry out these principles in the mode of distributing the grants for training schools. Consequently, towards the end of the year information was sent to the training schools throughout England that, in future, there would be no attempt on the part of the Government to inspect religious instruction or to pay for that instruction in the future. They had then to consider how Scotland should be dealt with. Bearing in mind that up to the present time there had been no difference of opinion in Scotland with regard to the religious question, the Government had to choose between two courses—either to treat different parts of Great Britain differently, and ask Parliament for a grant for the inspection of religious instruction in Scotland while refusing it in England, or to apply to Scotland the same principle as that adopted for England, and strike religious instruction out of the syllabus. Although the Government were sorry to appear to anticipate legislation with regard to Scotland, yet they felt it would be anticipating legislation if they decided to make a difference; and they had in their best discretion come to the conclusion to strike religious instruction out of the Scotch syllabus. With reference to the second part of his hon. Friend's Question, the arrangements in England for religious teaching had been made under the sanction and instigation of the Bishops, by which the religious instruction would be conducted and inspected by gentlemen appointed by the promoters of the training schools, as well as by the clergy themselves: and probably the same course would be taken in Scotland. In conclusion, he might state that this step had been taken, not with any intention of applying an English Act to Scotland, but in consequence of the clear opinion of the Imperial Parliament on the general question, as expressed in the Elementary Education Act of last year.

CHINA AND JAPAN CONSULAR REPORTS.—QUESTION.

Mr. WHITE asked the Under Secretary of State for Foreign Affairs, When the remaining portion of the China and Japan Consular Reports for the year 1869 will be issued; and if arrangements can be made for their earlier publication; and, when the Consular Reports from Saigon, Batavia, Sarawak, Bangkok, and Manilla will be issued?

Viscount ENFIELD: The only China Returns for 1869 which have not yet been published are those from Shanghai and Taiwan, which were received after the close of the Session, in September and December. They are now in the printer's hands. (See "China," No. 12, 1870.) All the Japan Reports and Returns have been published. (See

"Japan," No 4, 1870.) The Returns and Report from Bangkok—our only station in Siam—were also presented to Parliament last Session. (See "China," No. 7, 1870.) The reason of the delay in publishing some Reports is that it has been the custom to lay them before Parliament first, and to keep over those which arrive too late to be presented till the next Session. No Consular Reports for the last two years have been received either from Saigon or Batavia; the former is an unpaid post, and at the latter there is a trading Consul, and their communications with the Home Government are not quite so punctual as would be expected from salaried officers. The last Commercial Report from Sarawak was printed in September, 1869, and from Manilla in April, 1870. There has been hardly time to receive last year's Report from the Manilla Consulate.

IRELAND—MAGISTRACY OF DROGHEDA.

QUESTION.

COLONEL STUART KNOX said, that the presentments to the commission of the peace in Ireland were attracting considerable interest at the present time, and therefore he wished to draw the attention of the Chief Secretary for Ireland to a paragraph in an Irish newspaper stating that a person holding the position of a retail publican had been appointed to the magistracy of Drogheda. He begged to ask the Chief Secretary for Ireland, Whether it is true, as stated in a Dublin newspaper, that Mr. Robert Bedford Daly, auctioneer and publican, has been appointed to the commission of the peace for the borough of Drogheda, and on whose recommendation; and, whether the rule so long in force preventing the appointment to the magistracy of dealers in spirits and beer is now set aside, and on what grounds, and by whose authority?

MR. CHICHESTER FORTESCUE said, that as he happened to be responsible for the advice given to the Lord Lieutenant to appoint this gentleman on the commission of the peace, he begged to be permitted to answer the Question of the hon. and gallant Gentleman. He gave that advice upon his own knowledge of Mr. Daly, and of his high respectability, "fortified" by high authority. He had no reason to believe that Mr. Daly was a publican when he gave that advice, neither had he reason to believe it now. He had since ascertained that Mr. Daly, who had been for two years Mayor of Drogheda, was a member of a large grocery establishment, but which also held a wine licence. Mr. Daly was in no sense a publican more than Mr. Findlater, of Dublin, might be so described. And, indeed, Mr. Daly could not be said to hold a licence even in that sense at the present time, inasmuch as he had some time since transferred it to another member of his family. He had been further informed that this gentleman who, as he had stated, was in no sense a publican, was offered the commission of the peace for Drogheda by the Lord Lieutenant of the County of Louth three years ago, and he was not placed upon it on the sole ground that it was considered that the number of the magistrates was excessive, which was not the case at present. He might also inform the hon. and gallant Gentleman that this respectable gentleman had been honoured by the confidence of his fellow-citizens by being elected to fill a number of local offices; and although, being a member of the Established Church, he had taken the course of supporting the disestablishment of that Church, he had been elected a member of the select vestry for Drogheda under the new system. He understood that the newspaper paragraph which had filled the mind of his hon. and gallant Friend with consternation had been withdrawn, and had been followed by a highly complimentary article in the same journal.

NAVY—DEPTFORD DOCKYARD.

QUESTION.

MR. CUBITT asked the Secretary to the Admiralty, Whether the sale of the Government Dockyard to Mr. Austen has been completed; and, if so, whether he is aware if Mr. Austen still remains the owner of it; and, whether Her Majesty's Government have sanctioned the scheme of establishing a foreign cattle market on the site of the dockyard?

MR. BAXTER: Sir, Mr. Austen's interest in that portion of Deptford Dockyard sold to him has been transferred to the Corporation of the City of London, in whose favour the title-deed is being prepared. The Admiralty has nothing to do with the proposal to establish a cattle market on the site; but I believe that such a scheme has been sanctioned by the proper authority.

IRELAND—IRISH CONSTABULARY AND THE GUN LICENCES ACT.—QUESTION.

Mr. PEEL DAWSON asked the Chief Secretary for Ireland, Whether the Irish Constabulary Force so particularly referred to in the wording of the enactment will be employed in carrying out the provisions of the Gun Licences Act, passed in the last Session of Parliament; and, whether he is aware that there is a strong opinion among the local magistracy in several districts of Ireland that without the co-operation of the police force the Act will remain ineffectual and useless both for the purposes of Revenue and of social protection?

The Marquess of HARTINGTON said, in reply, that the provisions of the Gun Licences Act, as regarded the constabulary, were permissive and not obligatory. The action of the constabulary under that Act was confined to the power of arrest of a person using or carrying a gun without a licence who further refused to give his name and address. In the event of the person giving his name and address the constable could only give information of the fact to the Excise officer. There were serious objections to impose upon the constabulary fresh duties not immediately connected with the preservation of the public peace or the detection of crime, and still more to impose upon them duties calculated to cause them to be regarded as common informers in the estimation of the public. He was aware that in certain rural districts the local magistrates had requested the co-operation of the constabulary in enforcing the provisions of the Act.

POST OFFICE—POSTAL TRANSIT RATES.
QUESTION.

Mr. MAGNIAC asked the Postmaster General, Whether he will endeavour to procure from the Foreign Governments through whose territory the Mails for the East viâ Brindisi have to pass a reduction in the present heavy postal charges?

Mr. MONSELL said, the transit rates referred to by the hon. Member were payable to the Governments of Belgium, North Germany, and Italy. Those payable to the North German Post Office were fixed by a Convention concluded as recently as last April, and those payable to the Italian Government were settled only the other day. None of the rates charged were considered excessive, and as they had been so recently fixed, he feared nothing would be gained by asking for a reduction at present.

WORKING OF THE EDUCATION ACT.
QUESTION.

Mr. DIMSDALE asked the Vice President of the Committee of Council on Education, When those managers of schools who have memorialized the Committee of Council for assistance towards the cost of erecting school buildings, may expect to receive an answer to the application made by such managers?

Mr. W. E. FORSTER: I fear, Sir, that the only answer I can give is that all the applications will be taken in turn. There are two classes of applications—those for the enlargement of schools, and those for the building of new schools, and each class will be taken in turn, according to the date of the application. The Office is doing its very utmost to proceed with the utmost possible despatch; but it is impossible for us to state distinctly when they will all be disposed of. There is an enormous number of applications to be dealt with. In the year before last 236 of these applications were disposed of; last year we had 3,300 applications, of which 3,003 came in the last five months, and by far the largest proportion came within the last month, many even on the very last day or two of the year. As regards the general working of the Education Act, I may remark that an extraordinary amount of labour has been imposed on the Department. More than 14,000 school returns have been received since the passing of that Act, and though no head of a Department could be supported with greater ability and diligence by its officers than Lord De Grey and myself have been, yet even with a new and the old staff working for a greater number of hours than it is right for them to work, we find it difficult to keep pace with the activity of the country—an activity in which we greatly rejoice, though it has imposed upon us a large amount of extra labour.

STIPENDIARY MAGISTRATES.

QUESTION.

Mr. MELLY asked the Secretary of State for the Home Department, Whether Her Majesty's Government have any intention of bringing in a Bill to extend the jurisdiction of Stipendiary Magistrates in districts where the increase of population demands such extension, and to charge the salaries and cost of Stipendiary Magistrates in the provinces, after deduction of fees and fines, upon the Consolidated Fund, as in the case of the London Police Courts, thus relieving the provincial ratepayer from burdens not borne by the ratepayers of the metropolis?

Mr. BRUCE said, in reply, that he was aware of the great difficulty and expense the constituents of the hon. Member had encountered in endeavouring to extend the area of the stipendiary magistrates' jurisdiction, and in consequence he had paid special attention to the subject. He thought it would be possible to bring in a Bill enabling boundaries to be extended without exposing ratepayers to the expense now imposed upon them. He would, if time permitted, introduce such a Bill; but he could not promise to include in it a proposal to charge the expense of stipendiary magistrates in the country upon the Consolidated Fund.

IRELAND—DISTRIBUTION OF DUPLICATE WORKS—BRITISH MUSEUM AND THE ROYAL DUBLIN SOCIETY.

QUESTION.

Sir DOMINIC CORRIGAN asked the Secretary of State for the Home Department, Whether it is the intention of the Government to bring in a Bill, this Session, to enable the Trustees of the British Museum to give or lend duplicate specimens to the Royal Dublin Society and other similar institutions?

Mr. BRUCE, in reply, said, the attention of the Government had not been specially called to this matter; but he should consider it to be his duty to make a communication to the Trustees of the British Museum, and ascertain what could be done in the direction pointed out in the Question of the hon. Baronet.

METROPOLIS—THE ALBERT MEMORIAL AND THE KENSINGTON ROAD.

QUESTION.

Mr. HARVEY LEWIS asked the First Commissioner of Works, Whether it is in contemplation to take any and what portion of Hyde Park on the south front of the Albert Memorial for improving the Kensington Road at that part; and, for what purpose the work in Hyde Park on the south front of the Albert Memorial is now being carried on?

Mr. AYRTON, in reply, said, what was intended to be done was to make the short flight of steps in front of the Albert Memorial, in order to carry out so much of the design as was absolutely necessary to complete the arrangements for the Memorial on the original plan. With regard to improving the road an arrangement was come to with the District Board of Works of Westminster to prosecute a Bill for improving the road, and the Great Exhibition Commissioners, having in view the opening of the Exhibition this year, agreed to provide for the expense; but, subsequently, the district board wished to withdraw from the arrangement, and the Bill was not further prosecuted. As the Exchequer did not undertake the paving of metropolitan roads, it did not seem clear how anything could at present be done in the way of improvement unless some such arrangement as the one to which he had referred could be again arrived at and carried into effect. But if nothing was done either by the local or the Metropolitan Board within a reasonable time, the consideration of the subject could be resumed at a future period.

ARTILLERY—RIFLED GUNS.—QUESTION.

Sir JOHN HAY said, he had a Question to ask the Secretary of State for War, but he had been informed that it would be more convenient to ask the information he required at the hands of the Surveyor General of Ordnance. He would therefore ask the right hon. Baronet the Member for Ripon, If he will lay upon the Table of the House a Return continuing and completing the information contained in the Return (Rifled Guns), No. 415, August 1869, up to the 1st of January 1871?

Sir HENRY STORKS replied, that the Return referred to in the Question should be laid upon the Table.

PARLIAMENT—HOUSE OF COMMONS—POWER TO EXAMINE WITNESSES ON OATH.—QUESTION.

Mr. W. M. TORRENS asked the First Lord of the Treasury, Whether it is the intention of the Government to bring in a Bill this Session to carry into effect the recommendation of the Select Committee of 1869, that provision should be made by Act of Parliament for conferring on the House of Commons the power of examining witnesses on oath?

Mr. GLADSTONE, in reply, said, it was the intention of the Government to introduce, in the course of the present Session, a Bill founded upon the Report of the Committee referred to by the hon. Member.

IRELAND—THE VOLUNTEER SYSTEM.
QUESTION.

Mr. BAGWELL asked the Chief Secretary for Ireland, Whether it is the intention of the Government to extend the Volunteer system to Ireland; and, if not, why not?

The Marquess of HARTINGTON: Sir, my hon. Friend will probably remember, or if he does not remember, he will find by reference to the Parliamentary Debates, that, in the year 1863, the Government of Lord Palmerston declined to extend the Volunteer system to Ireland, not, as was explained by Lord Palmerston, because there was any reason to doubt the loyalty of the great majority of the Irish people, but on account of the unfortunate existence of strong religious dissensions in that country. There was a great danger that the Volunteers might assume a sectarian character, and that the formation of Volunteer corps might be productive of collisions and breaches of the public peace. I hope that those circumstances may not constitute a permanent obstacle to the raising of a Volunteer Force in Ireland; but I am unable to say that the times are so completely altered that those obstacles are already removed.

SALMON FISHERY.—QUESTION.

Mr. DODDS asked the Secretary of State for the Home Department, Whether Her Majesty's Government intend, during the present Session, to bring in a Bill to give effect to the Recommendations of the Select Committee of 1869-70 on Salmon Fisheries?

Mr. BRUCE: Sir, I am afraid my other engagements will render it impossible for me to bring in a Bill on this subject in the present year.

CAPITAL PUNISHMENT.—QUESTION.

Sir GEORGE JENKINSON asked the Secretary of State for the Home Department, Whether the Government intend to take any steps, during the present Session, to carry out the whole of the recommendations of the unanimous Report of the Royal Commission of 1866 on Capital Punishment; and, also if the Government contemplate dealing with the latter portion of that Report not included in their recommendation, and which involves the very important questions of—1. An appeal on matters of fact to a Court of Law in criminal cases; 2. The mode in which the Crown is advised to exercise the prerogative of mercy by the Home Secretary; and 3. The present state of the Law as to the nature and degree of insanity which is held to relieve the accused from penal responsibility in criminal cases?

Mr. BRUCE; Sir, I fully admit the importance of the subject to which the attention of the House has been directed by the hon. Baronet; but, at the same time, I must say—as I have just said with regard to the Salmon Fisheries—that the time of the Government will not permit them to legislate on a question of so much importance and intricacy in the present Parliament.

Sir GEORGE JENKINSON: I beg to give Notice that I will myself introduce a Bill on the subject after Easter.

THE INTERNATIONAL EXHIBITION.
EXPENSES OF THE POLICE.
QUESTION.

Sir ROBERT PEEL asked the Secretary of State for the Home Department, Whether it is not the case that the special and extraordinary expenses of the Police employed at the International Exhibition held in London in 1862, amounting to £21,521, was charged to the Country and not debited to the account of that undertaking; and, whether the special and extraordinary expenses of the Police to be incurred at the opening of, and during the forthcoming exhibition at, the Kensington Central Music Hall, will be at the charge of the Country or debited to the account of that speculation?

MR. BRUCE said, in reply, that it was not the case that the country was charged one single penny of the expenses of the police employed at the International Exhibition of 1862. The sum of £21,521 was the estimate taken for the special and extraordinary services of police at the Exhibition of 1862; but the sum actually spent was £19,435, of which five-sixths were paid by the Commissioners out of the proceeds of the Exhibition, and the remaining sixth was regarded as properly falling upon the resources of the Police Fund. In fact, the whole of the internal expenses of watching and keeping order in the building and two-thirds of the expenses of keeping order in the roads and approaches were paid by the Commissioners. With regard to the Exhibition of the present year, a similar arrangement had been made so far as the interior of the building was concerned; but no arrangement had yet been made with reference to the roads and approaches.

GREECE — CASE OF MR. FRANK NOEL.

QUESTION.

MR. SOMERSET BEAUMONT asked the Under Secretary of State for Foreign Affairs, Whether the charge against Mr. Frank Noel has been entirely dismissed; whether, seeing that Mr. Frank Noel's generous conduct in the affair of the Massacre at Marathon had been fully approved, Mr. Erskine was instructed to protest against it; and, whether the Papers will be laid upon the Table of the House?

VISCOUNT ENFIELD, in reply, said, that Mr. Erskine telegraphed on the 18th instant that he had been informed on good authority that the Court of Appeal had ordered the provisional cessation of all further proceedings against Mr. Noel, and that a warrant for his discharge was issued that evening. It would, he thought, be seen from the Papers just published that all steps that could be properly adopted to insure Mr. Noel receiving protection and support were from the first taken by Mr. Erskine, either without or under instructions from home. He (Viscount Enfield) believed that the Papers relating to this subject were circulated that morning.

BALLOT BILL.—QUESTION.

In reply to Mr. GEORGE BENTINCK,

MR. W. E. FORSTER said, he had fully hoped that the Ballot Bill would have been delivered to hon. Members on Wednesday morning. A few copies only were delivered on Wednesday afternoon; but the Bill was not delivered to hon. Members generally till that (Thursday) morning. Under these circumstances, he would not propose the second reading of the Bill on Monday.

IRELAND—STATE OF WESTMEATH.

NOTICE.

THE MARQUESS OF HARTINGTON: Sir, I beg to give Notice that on Monday next I shall move that a Select Committee be appointed to inquire into the state of Westmeath and certain parts adjoining Meath and King's County, the nature, extent, and effect of certain unlawful combinations and confederacies existing therein, and the best means of suppressing the same. I also beg to give Notice that on the nomination of the Committee I shall move that it be a Secret Committee.

ARMY RE-ORGANIZATION BILL.

QUESTION.

LORD EUSTACE CECIL expressed a hope that the Report of the Inspector General of Recruiting, and the Estimate for the compensation of Officers on the abolition of the purchase system, would be placed in the hands of Members before the second reading of the Army Re-organization Bill was taken.

MR. CARDWELL replied that the Papers in question had been formally laid on the Table, and would soon be in the hands of hon. Members.

EDUCATION (SCOTLAND) BILL.

QUESTION.

In reply to Mr. GORDON,

MR. BRUCE said, the Scotch Education Bill had been delivered to hon. Members, and he understood it was the general desire of the Scotch Members that the second reading should be proceeded with on Monday next, as originally fixed.

ORDERS OF THE DAY.

Ordered, That the Orders of the Day be postponed till after the Notice of Motion relative to East India Finance.—(*Mr. Gladstone.*)

EAST INDIA FINANCE.

MOTION FOR A SELECT COMMITTEE.

MR. GLADSTONE, in moving that a Select Committee be appointed "to inquire into the Finance and Financial Administration of India," said: As I have already stated, I will not enter upon the subject of the appointment of this Committee, on which I consider the House to be agreed; but I will state to the House what I conceive to be the exact bearings of the issue with regard to the propositions which the Government intend to make, and which would be carried into effect by steps subsequent to the adoption of this Committee by a joint Committee of the two Houses. The House, I hope, will clearly understand that that is a proposition which the Committee will deal with upon its merits entirely, without reference to any supposed engagement which would in any manner affect their liberty of action. Neither the House of Commons nor the House of Lords has taken any step or has in any manner considered the question whether it is expedient that the inquiry should be conducted by a joint Committee, or whether it should be conducted by a Committee of each House separately, or by this House alone, acting on its own responsibility, if the other House should not think fit to follow our example. I do not wish to magnify the question. It is one within a limited scope; and it will only require two or three minutes for me to state the ground of view which the Government take, and the reasons which have induced them to lay the proposal before the House. In the first place, I think the principle of the co-operation of the two Houses in the matters of inquiry conducted before Committees, or even in matters of legislation, at the stage in which measures go before Committees is a very great principle. In the mass of legislation that comes before the Legislature of this country, it is a very great object to discover the means of economizing time, and I think it is the duty of the Government, where there are any means of economizing the public time with reference to matters proper for inquiry by Committees of the two Houses, to take advantage of those means. The question is whether the present occasion is a suitable occasion for that purpose, because I do not suppose it will be thought by anyone that there is any anomaly or novelty *per se* in conducting an inquiry jointly by Members of this House and by Members of the House of Lords. The first reason for proposing a joint Committee on this subject is that the House of Lords happens to be what may be called particularly strong on the matter of East Indian experience. I need not refer to the names of the noble Lords, some of whom have been in the face of this country; but there is one in particular who has a most distinguished name in connection with Indian administration. No one, I think, would doubt that he would contribute greatly to the efficiency of an inquiry of this kind, and I need hardly say would promote the object we have in view. Another reason is this—that by a Committee of this kind it is always desirable that what may be called the official element of Parliament should be represented up to a certain point—should be represented in considerable strength, though not in such strength as in any way to interfere with the preponderance of independent opinion on the Committee. But in inquiries of this kind, where any administrative Department is concerned, I think we generally see a fourth, and sometimes as many as a third, not of Members in Office, but of Members who are in Office or have been some time in Office in connection with the particular subject; and the advantage of that is that they can render very considerable assistance to those who prosecute the inquiry from a certain point of view. It so happens that the official element, so to speak, with reference to this particular subject is numerically weak in the present House of Commons. Indeed, the judgment of the Government has been influenced to a considerable extent by a circumstance affecting a particular Member of this House. The right hon. Baronet the Member for North Devon (Sir Stafford Northcote), sitting on the other side of the House, having held, at an anxious period, the Office of Secretary of State for India, has, with very great public spirit—and I am very glad to have an opportunity of bearing testimony in my place here to the fact, as I have done before in private — that right hon. Baronet, I say, who would have been a proper and becoming, and, I may add, essential representative of this House in an inquiry of this kind, has given his services in the important Commission sent to the United States, and thereby weakened what I may call the official element in the ranks of the Committee. No doubt it is in the power of the House to appoint the Under Secretary of State for India, and I hope he will be a Member of the Committee; but I do not think it would be entirely satisfactory that the great party which, with those sitting on this side, makes up the House should remain unrepresented in the official class. It ap-appears to me that this is a very good reason, independent of any other, why we should resort to the plan of a joint Committee. Supposing we go forward, as I now propose, there is, I believe, but one Gentleman — namely, my hon. Friend near me (Mr. Grant Duff), who discharges his duty with so much ability —whom we could appoint as having official experience. My right hon. Friend (Mr. Lowe) did hold Office in connection with India, but it was a long time ago; and, besides, his occupation as a Cabinet Minister, and being Chancellor of the Exchequer, would make it impossible for him to give due attention to the inquiry. In the same manner my hon. Friend the Secretary to the Board of Trade, who was, I believe, Under Secretary for a very short time, is in the same predicament, and it would be quite impossible for him to give attention to Indian matters. Now, it may be that there is some jealousy among the independent Members of this House, lest what I may call the officialism of the other House should be too strong. But it will be in their own power to provide against that danger. It appears to me that this Committee, being chosen from the two Houses, should be larger than usual—that it should consist of 11 Members from each House; and if there be but one person connected with Office from the House of Commons, the independent element will start with 10 Gentlemen taken from the two sides of the House. If, then, the particular position of the House of Lords should make it desirable that three, four, or even five of its Members who have served in India should be appointed, it will be seen that independent Commoners would form three-fourths, or about three-fourths of the Committee. There is only one other point of importance which touches the question of a joint Committee. It is, I believe, a matter of usage and custom that, in the case of a joint Committee, the Chairman should be a Peer; but that Chairman would be chosen by the free choice of the joint Committee itself. First of all, I believe that the technical rules of the House of Lords have been very much relaxed, of late years, with regard to the choice of the Chairmen of Committees; but it is obvious that the application of those technical rules would never be enforced, in the case of a joint Committee. So far as the Chair is concerned, it would be the choice of the Committee that would determine the matter. I may add, that the only object of the Government is to bring to the consideration of this important subject the most efficient and strongest Committee that we can get. We are of opinion that object will be best attained by a joint Committee of the two Houses. We commend that proposition to the general approval of the House; but, at the same time, it must depend upon that general approval being obtained, because it would be an ill beginning for the Committee if there should be any great and serious difference of opinion at the outset respecting its constitution. I will conclude by proposing the Motion that stands in my name, and it is not necessary at present to move the question of the joint Committee.

COLONEL SYKES was of opinion that the Government was doing a great injustice to itself in limiting the scope of the inquiry to the points, how money had been collected in India and how it had been spent. There was a vast number of other subjects which required to be investigated, and to be placed before the public for its judgment. In 1833 that House appointed a Committee of its own Members to take into consideration not only the financial condition of India, but its administration by the East India Company, and the East India Company, so far from objecting, invited the strictest scrutiny into their administration and accounts. They had then a monopoly of trade with India. The result of the inquiry was, that so thoroughly satisfied was the Committee with the administration of the affairs of India by the Company, that a new term of 20 years was granted to them. In 1852 another Committee was appointed. There was at the time a strong feeling growing up in this country against the administration of the Company, though it had been uniformly successful and had transferred to England an Empire larger than ever existed before. So well satisfied was the Committee with the management of the trust reposed in the East India Company that they recommended the Company should be granted a further term of 20 years from 1852, and nothing but the unhappy mutiny in Bengal, which arose not from any action of the Company, but from the invasion of caste prejudices in the Bengal Army, had prevented the administration of India from being still in the hands of the Company. He was a witness before both of the Committees, and he knew that many important facts had been elicited which would never have been known if their labours had been confined within the narrow range now proposed. He thought he would be able to show when the Under Secretary of State for India should make his annual statement that the administration of the affairs of India would with greater advantage to the people of India, have been in the hands of the Company than of the Crown. He would tell his right hon. Friend at the head of the Government that if the inquiry were limited to the question of money it would not give satisfaction to the Europeans in India, and most decidedly not to the Native population.

Mr. C. B. DENISON said, he regretted to find himself in antagonism with the Prime Minister on this subject of a Joint Committee of both Houses; but it would be admitted that, when an unusual and unprecedented course was advocated by the Leader of the House, he was bound to give some special extraordinary and cogent reasons for the proposal. He took exception to the course proposed for several reasons. In the first place, it was unnecessary. Secondly, it involved an aspersion on the intelligence, competence, and discretion of that House. Thirdly, the inquiry into the finance and financial administration of India involved indirectly, if not directly, questions of finance which concerned the taxpayers of this country. And lastly, the composition of the Committee—half of Peers, half of Members of that House—would, of necessity, involve a larger proportion of the official element than was desirable in such an inquiry. He might observe, in passing, that he entirely disagreed with the hon. and gallant Gentleman opposite (Colonel Sykes) in wishing that the scope of the inquiry should be enlarged. It would be utterly impossible, in the course of one Session, to extend the scope of the inquiry with any practical result. The right hon. Gentleman at the head of the Government had given as the first reason for departing from the usual course, that the House of Commons was particularly deficient in Members possessing official knowledge of Indian subjects. Now, he had taken the trouble to refer back to the previous Committees of that House upon Indian affairs. He held in his hand the nominal roll of the Committee appointed in 1852, and he found it was composed of 31 Members drawn from all sides of the House, from men of all shades of opinion and all degrees of experience, and of the whole 31 there were not more than four or five who had any local or official knowledge of India. Indeed, if the argument of the right hon. Gentleman was worth anything, it would go a great deal farther than he seemed to think. Who were the men who had been most frequently appointed Secretaries of State for India or Governors General? Were they men who had any personal knowledge of India? Had Lord Dalhousie, Lord Canning, or Lord Mayo, or most of those who had been most distinguished on the roll of Governors General? To come nearer home, had the four or five men in the House of Lords who had filled the Office of Secretary of State for India, or President of the Board of Control, any personal knowledge of India? Well, then, of what force was the argument that official knowledge was required? He did not hesitate to say that it would be most undesirable to have on this joint Committee four ex-Secretaries and one ex-Governor General, if not sitting in judgment, at least inquiring into official acts with which they had been more or less connected. Since the Government of India had changed hands the interest of the Debt had more than doubled; we had year by year a chaotic mass of accounts both in that country and this, and he, and those who held similar views, wished to know the causes which had led to increased taxation year by year, while the revenues of India were at the same time increasing. He wished, he might add, that the right hon. Gentleman had furnished the House with some precedent for the course which he asked it to adopt, for he had failed to find any case analogous to the present. It was quite true that within the last few years Joint Committees of both Houses had been appointed; but they had been appointed with the object of deciding what would be a suitable mode of proceeding in certain technical matters. As to the Joint Committee which had been nominated in the reign of William III., it was one which had been appointed under a special Act of Parliament, to make a judicial inquiry into the corrupt distribution of large sums of money by the then Chairman of the East India Company, alleged to have been paid to Members of both Houses to obtain a renewal of the Company's charter, and the inquiry ended in the impeachment of a noble Duke (the Duke of Leeds). When, therefore, on a future occasion, a discussion was held on the composition of the proposed Committee, he hoped some hon. Members of greater experience than himself would give their opinions as to whether it was expedient to change the long-established and recognized course of inquiry without due deliberation, and, as it were, by a side-wind. For, he could not admit that the fortuitous absence of any individual Member of the House, however able or experienced, and he did not deny that the hon. Baronet the Member for North Devon was both able and experienced, was a sufficiently cogent reason for suddenly changing the constitution of the proposed Committee. He must further observe that the financial affairs of India were intimately allied with taxation, and were of great interest as bearing upon the taxpayers of this country. Of the £200,000,000 of public debt in India, including the railway debt, less than 10 per cent was held by the natives of India, the whole of the rest being held by our fellow-countrymen. What was the security for it? A first charge on the revenues of India, which was worth only as much as the continuance of English dominion; and he should like to know whether the high-handed way in which taxation had been imposed on the natives was conducive or not to the prolongation of that dominion? Another objection he had to the Committee was, that it would be composed to too great an extent of official Members of the other House of Parliament. He was aware that those official Members were very distinguished men, who had held the office of Secretary of State for India, and he was opposed to their appointment not in their capacity as individuals, but because they would have, from the very nature of the inquiry, to pass under review their own official conduct, while what was wanted was a free unfettered investigation of Indian financial administration. The right hon. Gentleman had, indeed, observed that there was no fear the official element would override their colleagues in the Committee, inasmuch as they would be only in the proportion of 5 in 22; but he would ask anyone who knew the calibre of those five noble Lords whether they would not, in the nature of things, have a far greater power than was represented merely by their numbers? For his own part, he very much feared that the Committee would be overridden by that select band of brothers. He appealed with confidence, therefore, to the independent Members of the House, to use their influence to secure that the inquiry should be free, for otherwise it would fail to give satisfaction. He could not believe that the present reformed House of Commons was less competent to inquire impartially and effectively into Indian affairs than any of its predecessors, and he therefore hoped that the proposal for a Joint Committee would not be pressed.

SIR CHARLES WINGFIELD said, he fully agreed in the opinion that the range of inquiry assigned to the proposed Committee was sufficiently extended; but he felt certain that if a Joint Committee were appointed the official element would be most unduly predominant. The financial mismanagement of India—or, if that phrase were considered too strong, he would say the disordered state of the Indian finances—was the subject of inquiry; it would range over the administration of the last eight or nine years, which embraced the tenures of Office of four Indian Secretaries of State, and of one Governor General, who were now Members of the other House. They could scarcely fail to feel that their own administration was called in question, and that they were put upon their defence; but surely it would be inconsistent to place the conduct of the inquiry into the hands of the very officials whose administration was to be inquired into. No doubt, the opinions of so many distinguished men who had held the office of Secretary of State would be most valuable; but those opinions might be given to the Committee as evidence, and he should think that those noble Lords would themselves prefer to take the part of witnesses rather than serve as members of the Committee. He should be sorry to see it composed mainly of men who had been in the service of the State in India. What he desired was that a broad, independent, English view should be brought to bear on Indian affairs, and he was sure nothing could give the people of that country greater satisfaction than to find that the House of Commons manifested an interest in their well-being. A Committee, having upon it a large number of officials, would certainly fail to inspire the same confidence.

Mr. R. N. FOWLER said, he thought that there should be some inquiry into our relations with the Hill Tribes, against whom 21 expeditions had been sent within the period between 1850 and 1868. He should not press this question now, but he begged to give Notice that when the Committee had concluded its labours he should bring it before the House. He was also of opinion that if the Government persisted in their determination to appoint a Joint Committee it should consist of 34 Members, 17 from each House. If official experience were deemed of so much value there were several right hon. Gentlemen—such, for instance, as his right hon. Friend the Member for North Northamptonshire (Mr. Hunt) on the Bench below him—whose services might with great advantage be secured. In a letter, he might add, which he had received that morning from a very intelligent Indian gentleman residing in this country, views similar to those which had just been stated by the hon. Member for Gravesend (Sir Charles Wingfield), as to the composition of the Committee, were put forward, and as they had not the advantage of the presence of any native of India he should venture to read it. He said—

> "A Joint Committee is proposed. I have no objection to it; but I think, in fairness to the Committee and to the ex-officials themselves, they should not be on the Committee. I mean the ex-Secretaries of State and Governor-Generals since 1860, for it is their own administration that is to be the subject of inquiry; and it would not be satisfactory, I am afraid, to the public that these ex-officials themselves should sit in judgment upon their own conduct. Their true place is in the witness-box, not on the Bench."

For his part, he was glad to see that the Government had acceded to the wish of the hon. Member for Brighton (Mr. Fawcett) for a Committee of Inquiry; and though that inquiry might not be so extensive or in such a form as some persons might desire, he hoped, nevertheless, that great good would result from it.

Mr. GILPIN said, if the Speaker ruled he was in Order, he should move "that there be added to the words of the Resolution of the right hon. Gentleman the following words:—'and that such Committee be solely composed of Members of the House of Commons.'" He had sat in that House for 14 or 15 years, and the greatest dissatisfaction was always expressed about the East India accounts. They had been brought in at the fag-end of the Session to nearly empty Benches, when there were not more than a score of Members present; and the feelings of dissatisfaction—quite justifiable in the circumstances, had spread to the millions of our great Eastern dependency, who were naturally indignant at having been so treated. If they desired that this inquiry should be more than a "sham," if it was really to suggest remedies for some of the evils connected with the finances of India, experts might be called upon with advantage to give evidence; but they should not be judges of a system in the administration of which they had been concerned. The subject of the inquiry was the financial conduct of the Government of India. The Committee would have to discuss all matters connected with the taxation of India, including the extent and pressure of the income tax; and he thought that such questions would be best discussed not by those who had spent the best part of their lives in India or in the India Office, but by Gentlemen acquainted with the principles of sound finance.

Mr. KINNAIRD (to whom Mr. Gladstone gave way) observed that this inquiry was demanded by the people of India, but such a Committee as the Government proposed would not have their confidence. They had petitioned again and again for inquiry; there had been none since the government of India came into the hands of that House, and neither they nor the people of this country would be satisfied unless the Committee was composed entirely of Members of that House.

MR. DISRAELI: I give every credit to Her Majesty's Government for the motives which have induced them to make this proposition, and I feel sure they have only made it from a conviction that it was for the public advantage. But there are difficulties in the way which they ought to consider before asking the House to decide upon this course. The right hon. Gentleman regrets the absence of my right hon. Friend Sir Stafford Northcote. I also regret his absence on an occasion like the present, and I have no doubt I shall, in the course of the Session, have to regret it on other occasions. But, like the right hon. Gentleman, I am partially responsible for this absence, because my right hon. Friend would not have quitted the country at such a period without my assent, but there are occasions on which, when high political questions of Imperial importance arise, a public man, whatever his political party, owes his service to his country. In the course he has taken my right hon. Friend was influenced by motives of the highest character, and his political friends who will suffer by his absence were conscious of the sacrifice he was making and of the loss they would sustain. But they felt that, under the circumstances of the case, it was his duty to accede to the suggestion of the Government, and give his talents and his experience to the solution of difficulties which I trust will be removed by the Commission which Her Majesty's Government have resolved to appoint. With regard to the question before the House, there is no doubt that to ask for the appointment of a Joint Committee of the two Houses is a very unusual course. There have been Joint Committees of the two Houses. There was one last year, of which I was a Member. But wherever we have had Joint Committees of the two Houses they have been generally on technical points, issues of a limited character, such as arrangements about deposits for railways, and the subject considered by the last Joint Committee—namely, to expedite, if possible, the procedure of business between the two Houses. There the object in view was very intelligible, and it was not on the cards that the course taken by the Joint Committee would at all interfere with the privileges or the general conduct of business of either House. Even with this limitation, however, the instances of the appointment of a Joint Committee are rare. Now, in the present case, it must strike us at once that the proposal for a Joint Committee is not only on a large subject, but must deal with questions hitherto considered within the peculiar jurisdiction—if I may use the term—of this House—I mean the management of finance. We have all been for many years impressed with the conviction that the management of the finances of India much interests those who live in England. Otherwise, there would be no reason for the statement of those finances made to us every year. The ill-management of Indian finance must recoil ultimately upon the financial resources of this country. Therefore, it seems to me difficult for a Joint Committee to enter upon questions as to the present state of Indian finance without the Members of the other House being drawn into the consideration of matters in which it has always been one of the principal aims of this House to prevent them from interfering. This alone is, I think, a serious objection to the course proposed. The recommendation of the proposition of the right hon. Gentleman has been that it is the only one that would insure the presence of adequate official experience. I would not depreciate the value of the presence of those who possess official experience in the government, and especially in the finances, of India. But the first question we have to decide is, whether it is worth while, in order to obtain the presence of this official experience, to take a course so unusual as the appointment of a Joint Committee of the two Houses, especially on a subject as to which, of all others, according to the traditions and principles of this House, concerted action by the two Houses should be avoided. Then, again, great as is the advantage of official experience, it is an advantage not without drawbacks. You may have too much official experience upon any Committee of this character, and therefore I think we should consider whether, out of our own resources, we may not be able to appoint a Committee which shall effectually inquire into this important subject, and furnish the House with the information and conclusions it requires. The right hon. Gentleman has referred particularly to this side of the House as being denuded of official experience by the absence of my right hon. Friend (Sir Stafford Northcote). I will not make any remark upon hon. Members opposite, and I have no doubt the right hon. Gentleman is so well acquainted with them that he will be able to select many Members there whose assistance will be very valuable. But even on this side of the House, without the advantage of my right hon. Friend, or the presence of any who have been officially connected with the government and administration of India at home or abroad, there are several Gentlemen, I think, whose presence on this Committee would be highly valuable and beneficial, and who, in my opinion, would contribute to results which even Members with official experience might be unable to produce. There is my hon. Friend the Member for Huntingdon (Mr. Baring), who was Chairman of the Indian Committee which sat in 1852, and from the experience he acquired in carrying on and controlling that large investigation, as well as from his financial experience, I should say he would be most competent to sit on a Committee for considering Indian finance. I know well that my right hon. Friend the Member for Shoreham (Mr. Stephen Cave) has given great attention to Indian finance, and though he has not had official experience in Indian finance, he would form another competent member of the Committee. If such men as these were appointed, I am sure their labours would not be a source of shame to us. On the whole, although I fully appreciate the motives which have influenced the Government in making this suggestion—a fair suggestion for the consideration of the House —I cannot help feeling that the objections to the course proposed are weighty, and as upon a matter of this kind I should be sorry to see anything like a Division, I should be glad if the Government were to re-consider the proposition they have brought forward. It is a proposition which I do not think ought to be acceded to unless there were something approaching unanimity, and I hope the Government will find it consistent with their duty not to press its adoption upon the House.

Sir ROBERT PEEL rose to Order, and inquired whether the Amendment suggested by the hon. Member for Northampton (Mr. Gilpin) could be put from the Chair?

Mr. SPEAKER: The only thing this House can do is to appoint a Committee of this House: it cannot appoint or prevent the appointment of a Committee of the other House; therefore, the Amendment could not properly be put.

Mr. GLADSTONE said, he had risen with the hon. Member for Perth (Mr. Kinnaird) to shorten the discussion, but knowing the inflexible character of that hon. Gentleman, he had not persevered. The debate had proceeded quite far enough to satisfy, at least negatively, the condition he laid down in his own speech—that it being a proposal in some degree novel in character, he should not be justified in pressing it unless it met with the general approval of the House. He could not honestly say he was convinced by the arguments used against it. He hoped he should not be deemed disrespectful if he said that some of them partook of the nature of superstition; and as regarded the speech of the right hon. Gentleman opposite (Mr. Disraeli), though he (Mr. Gladstone) must acknowledge it to have been conceived in the fairest possible spirit, he must express his decided dissent from one important point of principle which the right hon. Gentleman raised as regarded the competency of the House of Lords to deal with Indian finance. He (Mr. Gladstone) had been as ready as any man to defend the privileges of that House in matters of finance in critical and difficult circumstances; but so far as he was capable of forming an opinion, their exclusive rights with respect to finance arose solely out of the circumstance that they represented the people of England, and consequently their rights in no way extended to Indian finance. He believed the Acts of Parliament for regulating the government of India with reference to the presentation of accounts, &c., concerned the two Houses equally. He did not think it desirable, except on grounds of broad constitutional principle, that they should attempt to narrow the deliberative functions of the House of Lords. He would not, however, argue the point now, and would simply enter his protest against the acceptance of the principle laid down. He was satisfied that his proposal did not meet with that kind of approval which he thought desirable; he quite agreed that it should not be upon the vote of a mere majority that such a step should be taken; and therefore he should not press those subsequent measures which would have been necessary to give effect to the intention of the Government in case it had been thought fit to go forward with it. He assured the hon. and gallant Member for Aberdeen (Colonel Sykes) that the Motion had been framed to make out as large a province of inquiry as under present circumstances it was possible for any Committee to occupy in an efficient manner.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the Finance and Financial Administration of India."—(*Mr. Gladstone.*)

And, on March 9, Committee *nominated* as follows:—Mr. AYRTON, Mr. CAVE, Mr. CRAWFORD, Mr. BARING, Mr. FAWCETT, Mr. BECKETT DENISON, Sir CHARLES WINGFIELD, Mr. EASTWICK, Mr. DICKINSON, Mr. BOURKE, Mr. CANDLISH, Sir JAMES ELPHINSTONE, Mr. LYTTELTON, Mr. BIRLEY, Sir DAVID WEDDERBURN, Mr. BEACH, Sir THOMAS BAZLEY, Mr. HERMON, Mr. M'CLURE, Mr. CROSS, Mr. JOHN BENJAMIN SMITH, and Mr. GRANT DUFF:—Power to send for persons, papers, and records; Seven to be the quorum.

UNIVERSITY TESTS BILL—[BILL 6.]

(*Mr. Dodson, Mr. Gladstone, Mr. Solicitor General, Mr. Goschen.*)

THIRD READING.

Order for Third Reading read.

Moved, "That the Bill be now read the third time."

MR. FAWCETT said, that in consequence of the question of clerical Fellowships not having been raised on the bringing up of the Report, the only means of re-opening the question now would be to re-commit the Bill for new clauses to be inserted; but, after consideration, he, and those who thought with him, came to the conclusion that it would not be wise on their part to resort to a course so unusual, because Her Majesty's Government having stated that their decision upon this point was irrevocable, a majority against them would be tantamount to throwing out the Bill for this Session. But, in listening to the Government on this point for the present, he by no means admitted the distinction drawn by the Solicitor General between the abuses the Bill corrected and the abuses connected with clerical Fellowships; and he had no doubt that when these and other matters connected with the Universities came to be dealt with in the future, with the object of bringing the Universities as far as possible within the reach of the greatest possible number of the population, the majority of the House would have occasion once more to condemn the piecemeal legislation of its predecessors.

MR. GLADSTONE said, he would not stop to inquire whether the hon. Member (Mr. Fawcett) was right in his calculation, that if he had reproduced his proposition it would have been supported by a majority; but he was bound to say that all the rumours he had heard led to a very different conclusion. But whether the hon. Member would have been supported by a majority or a minority, on either supposition he had exercised a wise discretion. He wished to remove two misapprehensions under which the hon. Gentleman laboured. He appeared to think he (Mr. Gladstone) had laid down a doctrine that the House of Commons was bound, when the House of Lords in one Session referred a Bill to a Select Committee, to send up to their Lordships the same Bill again in another Session. Now, in discussing that measure, he had invariably said that every independent Member of the House was perfectly free to take whatever course he thought politic and right, and that the restriction which he held to apply to their action applied to the Executive Government alone. Then the hon. Gentleman said that by the rejection of his Amendment they retained clerical Fellowships. That, he thought, was not an accurate description of the matter. When he placed that subject on the comparatively narrow ground of the position they stood in with reference to the House of Lords and to the parties promoting the Bill, he forewent a very great advantage. Without meaning to be disrespectful, he said that, as far as the University of Oxford was concerned, if the first Amendment had been adopted, it would have been entirely nugatory. He did not believe that upon the statutes of the University it would have had the smallest effect, good, bad, or indifferent. As to the second Amendment, he did not hesitate to congratulate the House upon its escape from it. It would have confirmed and aggravated the greatest abuse in the two Universities—namely, the existence of sinecure Fellowships, permanently held—a great stain, unquestionably, upon those institutions. Now, the obligation of taking Orders, whatever else might be said of it, as a practical measure, had the effect of making many Fellowships terminate at an early period, thereby preventing the multiplication and extension of those sinecure Fellowships held without limit of time. The hon. Gentleman might urge that it was not a satisfactory mode of restraining that evil to impose the obligation of taking Orders, nor did he himself say it was; but he said the second Amendment would have aggravated one of the greatest abuses in the Universities, and earnest academical reformers, chiefly resident members of the Universities, abstained from recommending that proposition because they knew it would not improve, but worsen, their system in regard to the tenure of Fellowships. As to religious instruction and worship, the effect of that Amendment, though probably not its intention, would have been to remove all certain provision whatever for the maintenance even of divine worship in the college chapels of the two Universities. Both he and his learned Friend the Solicitor General thought the question of Fellowships ought not to be allowed to sleep. The tenure of Fellowships was not a thing to be dealt with by a stroke of the pen. It was an old system, fortified by a number of conditions, which must be studied as a whole. Let them detach, if they could, the question of religious tests from that of general legislation upon Fellowships. But, first of all, they would watch the fate of that measure in "another place." If it met with the success they hoped for, they would then apply themselves to considering what practical measures they could best take—whether by the authority of the Executive, or by invoking the aid of Parliament—for placing the Legislature and the Government in a position to deal effectively with the subject of Fellowships, and make the great and noble endowments of the colleges in their Universities as efficient as possible for the purposes for which they were intended. That promise that the subject should not be overlooked he freely gave to all who took an interest in it.

Mr. GATHORNE HARDY desired that the part he took on the measure might not be misunderstood. He much regretted that his right hon. Friend (Mr. S. Walpole), who had intended to be there that evening, was prevented from being present by another loss sustained by his family, in addition to the one that previously occurred. For himself, he did not assent to the doctrines of the right hon. Gentleman at the head of the Government, who proposed that the same Bill as was sent up last year should now be submitted to the House of Lords; and if he did not now oppose that proceeding, he must hold himself quite free to take any course he might think fit as to any Bill on that subject which might be introduced in a future Session. He should be very glad, indeed, if the question could be settled in such a way as to provide proper securities for religious teaching and discipline in the Universities, which the right hon. Gentleman himself admitted in principle to be desirable. As the Bill now stood, however, it did not provide those securities; and if it came before the House again in the same shape as it now stood, or near it, he should be prepared to resist it.

Mr. FAWCETT explained that if he had carried his Amendment on Monday, he would have followed it up by a clause providing that no one, because he was in Holy Orders, should hold a Fellowship longer than if he were a layman.

Bill read the third time, and *passed.*

ECCLESIASTICAL TITLES ACT REPEAL BILL—[Bill 27.]

(*Mr. Attorney General, Mr. Gladstone, Mr. Solicitor General.*)

SECOND READING.

Order for Second Reading read.

The ATTORNEY GENERAL, in moving that the Bill be now read a second time, said, he would give a short explanation of the purport and objects of the measure. It would be recollected that the Pope, in September, 1850, issued a Bull, conferring, or professing to confer, certain ecclesiastical and territorial titles upon the Roman Catholic Prelates in England, and that this proceeding caused great excitement in this country. Indeed, the public feeling on the matter was so strong that the Government of the day had scarcely a choice but to introduce an Ecclesiastical Titles Bill. It was important that they should thoroughly understand the effect of that Act before they considered the question of repealing it. The state of the law previous to the passing of that Act was this—He held it to be undoubted that by the common law of this country, declared from time to time by statute, and more particularly by the 28th Henry VIII., which was repealed by an Act passed in the reign of Philip and Mary, but re-enacted again by the 1st of Elizabeth, any jurisdiction, any title conferred by the Pope or any foreign authority was absolutely without legal effect, or, in the words of the statutes, "null and void." Such was the state of the law before the Ecclesiastical Titles Act was passed; such is now the state of the law, and such would remain the state of the law after the present Bill was passed. He wished that to be distinctly understood. But the Roman Catholic Emancipation Act of 10 *Geo.* IV. went beyond the Acts to which he had referred, and inflicted a penalty of £100 upon any Roman Catholic Bishop or other person who should assume any ecclesiastical title which was possessed by any member of the Established Church in England or Ireland. The Bull of the Pope, to which he had referred, of September, 1850, did not contravene the provisions of the Roman Catholic Emancipation Act, or, at all events, it was the opinion of the majority of the lawyers that it did not do so, for this reason, that the Bull did not authorize the assumption of any title actually held by Prelates of the Established Church, but the assumption of territorial titles other than those held by members of the Established Church; and it was to meet this aggression, as it was termed, that the Act which he now sought to repeal was introduced. By the Ecclesiastical Titles Act, persons were prohibited, under a penalty of £100, from assuming any ecclesiastical title in Great Britain and Ireland without proper authority. It was, however, at once seen that that Act would affect the Bishops of the Protestant Episcopal Church in Scotland, and, therefore, an express exception was introduced into the Act to meet their case. Having stated the effect of the Ecclesiastical Titles Act, he would proceed to give the reasons which had induced Her Majesty's Government to seek to repeal that statute. It was not to be disputed that the Act was practically a dead letter; but he regretted to say that it had not been altogether inoperative, inasmuch as it had given rise to considerable irritation on the part of our Roman Catholic fellow-subjects, and of alienating the Roman Catholic Prelates from the Government in Ireland. The present Lord Chancellor of Ireland, when giving evidence before a Committee of this House on the subject, had stated that he saw no reason, as the law now stood, to expect cordial personal intercourse between the Irish secular authorities and those who ruled the Roman Catholic Church—a circumstance which was to be regarded as a deep calamity in a country like Ireland. The question of the repeal of this statute had been considered by a Select Committee of that House which sat in 1867, and that Committee had reported in favour of the repeal of the Act, although he was bound at the same time to say that a Committee of the other House had reported in an opposite sense. It was a great evil to retain on the statute book penalties which were not enforced. But the case for the repeal of the Act did not rest here. The disestablishment of the Irish Church by the Act of last year made the passing of the present Bill a matter of absolute necessity, because, as the law now stood, every Bishop of the disestablished Church appointed after the 1st of January, 1871, who should assume an ecclesiastical title, would be subjected to a penalty of £100 under it; and, therefore, if it were allowed to remain on the statute book, it would altogether prevent the working of that Church. An hon. Gentleman opposite (Mr. Charley) intended to propose the rejection of the Bill. Now, he presumed that the hon. Gentleman did not think that the Bishops of the Established Church ought to be subject to a penalty for assuming ecclesiastical titles. This point could only be dealt with in two ways. Either the statute must be repealed altogether, or Parliament must pass a measure exempting Protestant Bishops from its operation whilst Roman Catholic Bishops would still be liable—a course that would scarcely be consistent with the sacrifice they had submitted to in order to establish religious equality in Ireland. In endeavouring to repeal the Ecclesiastical Titles Act, the Government had been careful not to go further than was absolutely necessary, and, therefore, they had not attempted to touch the provisions of the Roman Catholic Emancipation Act, which would remain in force, and under which Roman Catholic Bishops would be prohibited from assuming titles held by Prelates of the Church of England. It would certainly be most inconvenient if there were two Archbishops of Canterbury; but he presumed that it was not the intention of the Prelates of the Roman Catholic Church to assume such titles. Feeling the importance that would attach to the wording of this Bill, he proposed, in the event of the House permitting it to be read a second time, to refer it to a Select Committee, in order that the precise words in which the measure should be drawn should be deliberately determined upon. He trusted that the majority of the House would feel that the repeal of the statute in question was necessary not merely in the interest of the Protestant Church of Ireland, but of religious liberty. The hon. and learned Gentleman concluded by moving that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Attorney General.*)

Mr. CHARLEY, in moving, as an Amendment, that the Bill be read a second time upon that day six months, observed that when the Earl of Kimberley introduced the Bill, he stated that he did so on account of the disestablishment of the Church of Ireland. That view had been taken by the Attorney General. The Solicitor General for Ireland, in the debate on the second reading of a similar measure which had been introduced last year, stated his belief that the existing Prelates of the disestablished Church in Ireland would not be affected by the provisions of the Ecclesiastical Titles Act, although those appointed subsequently to January, 1871, would be affected by them. He much admired the modesty of the Solicitor General for Ireland, and he only wished he could say the same of the Attorney General for England. He was prepared to show that it was impossible to escape from the dilemma propounded by Lord Cairns, that the Bill, if intended merely for the relief of the Irish Protestant Bishops, either did too much or too little. It did too much, because it extended to Great Britain, where it was not wanted. It did too little, because it did not repeal the 24th section of the Catholic Emancipation Act. This last-named Act was sanctioned by the great names of the Duke of Wellington and Sir Robert Peel; but it was necessary to pass the Ecclesiastical Titles Act, because His Holiness the Pope adroitly shielded his nominees from the penalties imposed by appointing them to sees bearing names differing from those of the sees in the Established Church. The Earl of Kimberley last year, in endeavouring to meet the objection that the repeal of the 24th section of the Catholic Emancipation Act was necessary to relieve perfectly the Protestant Bishops in Ireland, said—

> "Next January the clause will not apply to any Irish Bishop; for as there will be no bishoprics established by law in Ireland there will be no titles which the Bishops of any Church will be prohibited from assuming."—[3 *Hansard*, cci. 1472.]

And the Lord Chancellor of England, speaking subsequently in the same debate, said—

> "After the Church in Ireland has ceased to be established, there is no longer any objection in that country to any person assuming the title of his see from any town, the name of which had formerly been appropriated to a see of the Established Church."—[*Ibid.* 1486.]

The language of the Ecclesiastical Titles Act and that of the Catholic Emancipation Act showed that the former was merely an Act for the extension of the latter by the use of the words, "be or be not the province, or co-extensive with the province, of any Archbishop, &c.," of the Established Church, and as that took in any new sees the Parliament was even with the Pope. According to the opinion of the Lord Chancellor, any person might assume the title formerly held by the Archbishops and Bishops of the Church of Ireland; but those dignitaries never had assumed the title of any see, and they never would assume any other than those formerly held by them under the sanction of the law; and, therefore, if they were to be sued it must be under the 24th section of the Catholic Emancipation Act, and they could cite the Lord Chancellor as an authority that they were liable to no penalties under that Act, and, *à fortiori*, they were not under the Ecclesiastical Titles Act, and, therefore, that apprehended danger was purely imaginary. The Roman Catholic Bishops of Ireland had no grievance to complain of, because if they were sued they also could plead the opinion of the Lord Chancellor in their favour. The law with regard to Bulls was, no doubt, as the learned Attorney General had stated it; any person introducing Papal Bulls into this country was liable to the law of *præmunire*. In Earl Russell's time Lord Romilly, the then Attorney General, and Sir Alexander Cockburn, the present Lord Chief Justice, who was at that time Solicitor General, went into the question of penalties. They found they were somewhat rusty and antiquated, and suggested that a simple remedy ought to be substituted, and that of £100 was substituted. The Bulls spoken of in the Ecclesiastical Titles Act were not Bulls at all, but such as were mentioned in the Preamble of the Act—namely, Bulls creating pretended sees similar to those the Pope created in England in 1850. The Irish Roman Catholic Bishops had no more a grievance than had the Irish Protestant Bishops of that country, being placed on perfect equality for the future. He agreed with the hon. Member for Edinburgh (Mr. M'Laren), in the law with regard to Scotland which he laid down last Session. The Act of 1829 did not mention Scotland in its enacting part, but the Act of 1851 did extend to that country, and, therefore, if they repealed that Act they would sweep away all the obstacles to the establishment of the Roman Catholic hierarchy in that country taking territorial titles from places within its boundary; not that he supposed the souls of Scotch Presbyterians would be much troubled by the Pope treating them as heretics. The 3rd clause of the Act, as it related to Scotland, was not, as the Attorney General had said, a violation of religious equality. It did not in the least change the condition of the Episcopal Church in Scotland. It left it where it found it; but it exempted the Church of Scotland from the penalties under the Act. In 1851 Sir George Grey, in reply to a Question from a Roman Catholic Member, said that the Scotch Bishops stood on a totally different footing to the Roman Catholic Bishops, inasmuch as they did not hold their office through the appointment of a foreign Power. There was nothing he said in the law that gave them power to assume those titles, but it left them just where they were before. The right hon. Gentleman (Mr. Gladstone) said he agreed with the right hon. Baronet that there was a distinction between Bishops holding office by foreign appointment and authority, and those who did not so hold them, and the clause was read a third time without a Division. The Roman Catholic Bishops of Scotland had never assumed territorial titles taken from places in that country, and therefore they had never been subjected to the penalty of the Ecclesiastical Titles Act. They laboured under no grievance, and the only object for sweeping away the Ecclesiastical Titles Act could be to entitle them to assume in Scotland territorial titles derived from places there. He did not envy any Scotch Member who voted for the second reading of the Bill, and if he did, he hoped the vote of want of confidence adopted in Glasgow would not be thrown away. In England there was an Established Church the form of which was Episcopal, and, as the Attorney General had said, it was thought inexpedient that there should be two Archbishops of Canterbury or two Bishops of London, and, therefore, the Government did not propose to repeal the 24th section of the Catholic Emancipation Act; but that it was very expedient to have an Archbishop of Westminster whose jurisdiction, though derived from a foreign source, did not conflict with theirs. The Ecclesiastical Titles Act was, however, passed with special reference to England. As Lord Russell said, we had no remedy against the Pope, who appointed Bishops in this country, to whom he assigned English territorial titles; but we had a remedy against Dr. Manning, and now the Government proposed to deprive us of that remedy against Dr. Manning. It was not true that Dr. Manning's jurisdiction as Archbishop of Westminster did not conflict with that of the Bishop of London, because Westminster formed a part of the diocese of the Bishop of London. This was not the time to exalt the Church of Rome when all the civilized nations of the Continent of Europe found it indispensable to curb her exorbitant pretensions; and when they considered the magnificent cathedral the Church of Rome intended to build in the neighbourhood of that House, the Archbishop of Canterbury and the Bishop of London might well hide their diminished heads as the representatives of the Protestant Constitution. The Attorney General had said that, in fact, the penalties imposed by the Ecclesiastical Titles Act had never been enforced, and that in consequence it was inexpedient to get rid of them. He would remind the House that the Catholic Emancipation Act provided that the penalties should be enforced by the Attorney General himself; but Lord Chelmsford introduced a clause into the Ecclesiastical Titles Act which provided that they might be enforced by any person with the consent of the Attorney General. If, then, the penalties were not enforced, whose fault was it? Why the Attorney General, who would not give his consent to their being recovered. It was, therefore, idle to talk of their not being enforced. How long, he asked, would the people of this country endure this sort of thing. He could not say; but this he knew, that when the Prime Minister of England began to notice the Pope it was high time for the House of Commons to notice the Prime Minister. In official documents issued that morning it would be found that the right hon. Gentleman sent a powerful man-of-war to await the wishes of the Holy Father, and he thought it was inconsistent in a statesman, after recommending Her Majesty to sanction the confiscation of the property of the Irish Church, that he should be afterwards found taking steps to protect the property of the Irish College at Rome. He saw by that morning's paper that the Roman Catholic ladies of England had presented an address to His Holiness, in which they said they must congratulate him on the triumph in store for him, and he should like to know if the Prime Minister intended to adorn that triumph. An opinion was gaining ground out-of-doors that in his efforts to subdue and subjugate and break down the will of the people Archbishop Manning had a willing ally in the Prime Minister of England. When a question was put to the right hon. Gentleman whether he had lately become reconciled to the Church of Rome, why did he shuffle with the question, instead of giving it a straightforward denial like an honest Englishman, if it were not true? Of this he (Mr. Charley) was quite certain that the Protestant establishments of this country would never be destroyed except by the false friends of Protestantism. Would to God the right hon. Gentleman were a member of the Church of Rome, for then he could not do half the evil he had done to Protestantism as a member of the Protestant Church. The hon. and learned Gentleman concluded by moving his Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Charley.*)

MR. NEWDEGATE said*: Sir, I am aware that it would be convenient to Roman Catholic Members to allow this debate to drop. I saw an hon. Member rise on this side of the House, a Roman Catholic Member (Mr. H. Matthews), with whom I had the honour of serving on the Committee appointed last Session to inquire into the conventual and monastic institutions which are so rapidly increasing in this country, and I can answer for it that, subject to the directions which that hon. Member, no doubt, receives, he is prompt on every occasion to lend his legal acumen to the defence of the interests which are seeking shelter from the purview of the law. When I saw that hon. Member rise to address the House, I own I was rather surprised to observe how suddenly he sat down again. The hon. Member had evidently received a signal which purported that it is now half-past 7 o'clock, and that a Division "snapped" at this particular moment would not have represented the real opinion of the House: so, seeking to avoid a fair decision of the House, down sat the hon. Member. Sir, this is but one instance of the tactics which have prevailed among the Roman Catholic party, and in the Committee to which I have referred; and it is by such devices that the rapid progress—the rapid political progress—of the Papacy in this country has been promoted. It is, moreover, through the extreme ignorance that prevails with regard to the real nature of the aggression that the Act of 1851, which it is now sought to repeal, was intended to counteract. Sir, it is the pleasure of some hon. Members to assume that England, in 1851, was mad; and that this House, although the debates continued during the whole Session, was pursuing a chimera in enacting a law upon no novel principle, but enacting a law which though something more, still is clearly declaratory of the ancient law of this kingdom which existed from before the Conquest, because the

Sovereigns of England, whoever held the sovereign power in this country, had always found it necessary to restrain the pretensions of the Papacy. And why? Because, while pretending to "spiritual" authority only, the Papacy has ever given to that term such an extensive interpretation that "spiritual," according to that interpretation, includes all temporal interests. Now, Sir, in order to show that this doctrine is not abandoned, I will, with the permission of the House, quote a passage from a very remarkable work which has recently been published. This work is the sequel to another work entitled *Janus*, in which the views of educated Germans—I mean Roman Catholic Germans—as to the probable purpose and effect of the Council then about to be held at Rome, were given. That work was followed by the production of the work to which I am referring, and which is entitled *Quirinus*. These Roman Catholics, being, I believe, distinguished ecclesiastics, understand the persecuting power of Rome's jurisdiction so well that they dare not publish their own names; at the same time, the authority of those works is well known and is indisputable. *Quirinus* consists of a number of letters which were written by three persons of different nations, who were resident at Rome during the Session of the Council, and they conveyed to a centre in Germany—a Roman Catholic centre in Germany—from week to week what their respective writers were enabled to gather from the members of the Council, until at last his Holiness the Pope became so alarmed at the publication of the proceedings of the Council, that, on the 14th of January last, he pronounced it to be a deadly sin to publish anything connected with those proceedings, or relating to the Council, except by way of laudation. After that declaration, or rather condemnation, by the Chief of the Roman Catholic Church, who was then also Sovereign of the Roman States and of the city of Rome, it is not likely that we should obtain any more direct evidence of what passed in the Council than what was thus furnished us from Germany in the pages of the work entitled *Quirinus*. Let me, in passing, recommend every hon. Member in this House to procure copies of this work, and of the companion volume *Janus*, for the sake of preserving the history of this remarkable Council. They are published by Rivington and Co., and there is little probability of any other history of these transactions appearing more distinctly in our lifetime. In the Appendix to this work, *Quirinus*, the speech of M. Darboy, Archbishop of Paris, is given. He is a most remarkable, a most distinguished, and a most exemplary Prelate. I would recall to the recollection of the House that it was this Archbishop of Paris who remonstrated, five or six years since, against the intrusion of the Pope's power into his diocese to the supersession of his own lawful jurisdiction—lawful, that is, under the canon law, as exercised over the regular religious monastic and conventual Orders in Paris; and that the Pope censured this Archbishop because, as Archbishop, he had represented to His Holiness that, by the canon law, by the Concordat, and by the fundamental laws of France, he was only performing his duty as a Bishop in exercising visitatorial power over the regular Orders and their houses; and yet the Pope, acting upon the principle which has now found its full development in the decrees of the Council, threatened to supersede the Archbishop. The Pope set at nought the canon law, and defied the law of France then, as he is now defying the law of England. And it is in deference to this defiance that the House of Commons is asked to repeal this statute of 1851, which is declaratory of the ancient law that our forefathers had, for 800 years at least, found to be necessary for the preservation of their independence as citizens of this free country. Sir, the Archbishop of Paris was bold enough to oppose the dogma of Papal infallibility and the Schema for the re-organization of the Roman Catholic Church not upon the principle of a Church at all, but upon the principle of political conspiracy, whereby all rights under the canon law of Rome—that canon law which constitutes her as a Church—may at any moment, by the sole dictum of the Pope, pronounced *ex cathedrâ* by some secret conclave held at Rome, be superseded; and the arbitrary will of the Pope may thus be enforced upon the Roman Catholics of any district, of any province, or of any country, to the supersession of their known and ancient rights under the canon law. What says the Archbishop of Paris? In a speech delivered on the 20th of May last, on the *Con-*

stitutio dogmatica de Ecclesiâ, the Archbishop says—

> "The compilers of the Schema, whether they desire it or not, are introducing a new era of mischief, if the subject-matter of Papal infallibility is not accurately defined, or if it can be supposed that under the head of morals the Pope will give decisions on the civil and political acts of Sovereigns and nations, laws and rights, to which a public authority will be attributed. Everyone of any political cultivation knows what seeds of discord are contained in our Schema, and to what perils it exposes even the temporal power of the Holy See."

The Archbishop of Paris thus warned the Council, and has thus fortunately warned the world, that the proceedings of that Council have invested the Pope with the power of pronouncing, as necessary to salvation, what shall be or what shall not be the political acts of Roman Catholic Prelates, and of Catholics generally throughout the world. Well, Sir, the Bill before the House is clearly intended for the encouragement of Archbishop Manning; intended for the promotion of Archbishop Manning, and intended for the promotion of Cardinal Cullen. Cardinal Cullen condemned the Archbishop of Paris at a meeting which was held immediately after the Council separated, and said he hoped that all such opinions as his—that all opinions which represented the ancient Constitution, the ancient Gallican liberties of the Roman Catholic Church of France, would be swept into oblivion. To the speech of the Archbishop of Paris, which I have quoted to the House, there is a note appended by the author of *Quirinus*, which refers to a passage in a well-known sermon, preached in 1869 at Kensington by Archbishop Manning. Archbishop Manning announced that the Pope will give decisions on the civil and political acts of Sovereigns and nations, laws and rights, to which a public authority will be attributed. In this note the writer affirms so; that the acts of the Pope, as infallible, when pronounced *ex cathedrâ*, will be political.

> "This is emphatically asserted," says the author, "in a sermon preached last year at Kensington by Archbishop Manning, where he says, speaking in the Pope's name—'I claim to be the supreme judge and director of the consciences of men; of the peasant that tills the field and the prince that sits on the throne; of the household that lives in the shade of privacy, and the Legislature that makes laws for kingdoms—I am the sole last supreme judge of what is right and wrong.'"

Mr. Newdegate

Now, the House is asked by this Bill to pass a statute to legalize a title in Dr. Manning which the law has condemned, and to relieve him from penalties, in order that he may in this metropolis carry out this doctrine as to the Pope's supremacy in all matters, whether private, public, or political; yet I find the House scarcely deigning to give any attention to the subject, as if it could afford to treat with contemptuous indifference the purposes and designs of a person like Dr. Manning, who, as thus authorized by the Pope, is known already to have had an enormous influence in moulding the Members of this House to effect the subversion of the Church of Ireland. I myself have witnessed the exertions of Dr. Manning in the Lobbies of this House, and when I know that they were intended to promote that which has been described and condemned as an idolatrous tyranny by an Archbishop of Paris, the murdered predecessor of the present Archbishop, and by the Count de Montalembert, as I showed the House last year when I read to the House the letter of the late Count de Montalembert, in which he quoted Archbishop Sibour, the predecessor of the present Archbishop of Paris, whose eloquent words of remonstrance in the Council I have now quoted; I ask, is it not lamentable that this House of Commons should be either so ignorant or indifferent as to the action of these influences, that most of the Benches are empty, and that the representatives of the Opposition are all absent? Can this be regarded as a true representation of the feeling of the country? You pretend that this House has been elected by household suffrage. Do you represent the ignorance or the intelligence of the country? [*Laughter.*] Hon. Members laugh; and yet this very evening a large section, if not the majority, of this House will do the bidding of this very power for which they affect contempt. The hon. and learned Gentleman the Attorney General says that, after all we have done for the safe establishment of religious liberty, would it not be fitting to do this one thing more, and extend to the Roman Catholic Bishops an equal right to assume territorial titles with the Archbishop of Canterbury, the Bishop of London, and the Archbishop of York? Why, says he, can we not take this other little step in the direction of establishing religious equality? Has the hon. and learned Gentleman ever asked Dr. Manning whether he is willing to accept now, henceforth, and for ever, on the part of the see of Rome, the doctrine of religious equality? It happens—and I referred to this question last year—that in the Committee on Conventual and Monastic Institutions, Lord Clifford was examined as a witness; and I rejoiced to see a nobleman appear as a witness, of whose private character I had heard so much that I knew I might have perfect confidence in his honour. He said, in effect—"All that we ask is that the law should take no notice of those monastic and conventual institutions. Leave us alone. Take no notice of us: leave us free to establish these institutions. We desire that the law of England should not interfere in ecclesiastical or religious matters. We wish the law to regard as equal the Church of England, the establishment of the Protestant Nonconformists and Dissenters, and these establishments of the Church of Rome, and should meddle with none of them." I then put several times this question to Lord Clifford—"Suppose the law either treats as equals the institutions of all denominations and ignores all their institutions, will the Church of Rome be satisfied to remain on terms of equality with the Wesleyans, Independents, Baptists, Church of England, and other denominationalists?" I pressed that question home, and Lord Clifford, as an honourable man, at length appealed to the Chairman not to permit what he described as so extreme a question to be pressed, and I ceased to urge it, because I knew perfectly well that, if Lord Clifford should speak the truth, judging from the speeches he himself had made at certain meetings, he must have declared that the demand for religious equality is merely regarded by the advocates of Rome as a step towards the establishment of her supremacy. Do you desire to encourage this ambition? Does this House condemn the Italians because they have found the temporal jurisdiction of the Pope intolerable? Are you prepared to authorize the Prime Minister to do the only thing he could do consistently with the Diplomatic Relations Act; not to send the forces of England to restore the spiritual authority of the Pope—for that the law forbids—but do you urge that he should send the forces of England to restore the temporal authority of the Pope as temporal sovereign of the quondam Pontifical States and of Rome? And, if you are not prepared to inflict that injury upon the Italian people, how can you be so little considerate for the interests of the people of England as to further the progress of the Papal power in this country, and permit the establishment here of a power and jurisdiction which the Italians, who have known it most fully, utterly repudiate? Remember this, that except in the exaggerated sense which the Pope has now distinctly affixed to the term "religion," and therefore to the word "spiritual," this is not by any means merely a religious question, because prior to the Brief of 1850 the Roman Catholics in this country enjoyed as much religious freedom as any other denomination in it. There are certain things to which no denomination has a right; because such right, if permitted, would trench upon the rights and liberty of others; those things only were forbidden to the Roman Catholics which are encroachments upon the rights of others. We know that for every function of their religion, in the sense in which we understand the term "religion," the Vicars Apostolic were sufficient; we know this also, that it was with the view of establishing the jurisdiction of the canon law in this country that the well-known Brief of Aggression was issued in 1850. It is a question of jurisdiction, therefore, and of temporals, not a question of religion properly understood, that we are considering. Why, I have here beside me the appeal which Cardinal Wiseman issued with the object of soothing the irritation, in 1851, which this intrusion of a foreign Power and jurisdiction had created. And how did he justify the Brief; for it was this Brief which has caused all the irritation; the act of the Pope, and not the Act of Parliament, which condemned it. He then stated in the Brief the intervention of his authority was necessary in order to constitute a hierarchy which, being convened in Synod, would have jurisdiction according to the canon law of Rome. That is the purport of the declaration then made by the highest Roman Catholic authority; and it was in answer to that declaration that the Act of 1851 was passed. That Act of Parliament declared, in answer to the Pope's agression—"You shall not exercise this jurisdiction as of right. We claim, as the representatives of the English nation, that supremacy for our chief and head, the Queen, in conjunction with the two Houses of Parliament, which has existed from time immemorial, and we will not allow this intrusion upon our freedom. We will guard the liberties of our Roman Catholic fellow-subjects, which have grown up under the previous organization of their Church in England, and you shall not thrust them down. You shall not use your power to collect into the hands of the Bishops, your nominees, the property which the Roman Catholic laity of England, intend shall be vested in their priests or in lay trustees. You shall not monopolize this property in the hands of your Bishops under the direction of a Cardinal." That was the answer of Parliament under the state of things existing in 1851. Now there has been a great change in the Roman Church; the rights of the Bishops have, by the acts of this Council, been rendered liable to supersession at any moment by the mere dictum of the Pope, and the case support of the statute of 1851; the case is still stronger, because it is not with the Bishop of a diocese, or the Archbishop of a province, that the priest or layman who would retain his property will have to contend, but he will have to contend directly with the Pope himself, against whom, as Lord Russell wisely said, there is, in fact, no remedy. The House will forgive the earnestness with which I speak; but it really seems to me that hon. Members overlook the gravity of the subject with which they are now dealing. The hon. and learned Gentleman the Attorney General asked why should we not soothe the irritation which exists, and which has been created, as he wrongly said, in consequence of this law, which you are asked to repeal. In answer to that, I declare that the irritation among Roman Catholics has not been created by this law, but that it has been created by the Brief—the document from Rome—which rendered the passing of this law necessary; and I will prove it. I will give hon. Members an idea of the terms of brotherly love and desire for equality which actuate those who so ardently urge the repeal of this Act. When the Committee of this House, appointed to consider the statute of 1851, in 1867, was sitting, Mr. Hope Scott was examined as a witness—and let me remind hon. Members that the Protestant Church of Ireland then existed as a national establishment. It happened that in that Committee there was an almost equal division of opinion, and that my right hon. Friend the Member for the University of Cambridge (Mr. S. Walpole) proposed a draft Report, whilst the hon. Member for Meath (Mr. MacEvoy), who was in the Chair, and is a Roman Catholic, prepared another. The Report of my right hon. Friend was rejected by a majority of 1. In the draft Report proposed by my right hon. Friend, this passage occurs—

> "Nor is it altogether unimportant to remark that this claim to a territorial hierarchy 'as morally necessary to the Roman Catholic Church in England,' could only be recognized according to the opinion of the Roman Catholics themselves, by a negation or denial (practically speaking) of the existing Establishment, and the authority of its Bishops."

Now, this had reference to Ireland, and the House has since gratified this desire of the Papacy for territorial authority, by disestablishing the Church of Ireland. In that Committee, Mr. Hope Scott was asked this question—

> "Then, if any Bishop were to intrude into the see of another Bishop in this country, it would be in the eye at least of that portion of the Church which was in this country, a schismatical act?"

His answer was—

> "There is no doubt at all about it; the fact is that the Roman Catholic Church would not be justified in placing Bishops anywhere in England or in Ireland, if it did not deny the authority, practically speaking, of the Bishops of the Establishment—it is, of course, an issue between the two religions, which it is of no use blinking."

Therefore, according to the authority of one of the most accomplished lawyers in this country, the reason—the chief reason—which has actuated Parliament in disestablishing the Church in Ireland must have been to gratify the demand of the Roman Catholic hierarchy for its extinction. But let me go on. Mr. Hope Scott was further asked—

> "But the Roman Catholic Church assumes that the English Episcopate has no existence?"

and he replied—

> "Most undoubtedly. The appointment of any ecclesiastical officer whatever of the Roman Catholic religion, and the appointment of any priest exercising cure of souls, is a negation of the Es-

tablished Church, and that is, of course, a part of the religion which is supposed to be freed by the Act of 1829."

Those who passed the Act of 1851 deemed it necessary to restrain this desire on the part of a foreign Power, and the representatives of a foreign Power, for the disestablishment of the Church of England and of Ireland. Therefore, they passed this enactment, the penalties of which you are now asked to repeal, and thereby give full scope for the exercise of this foreign jurisdiction. I see that the right hon. Gentleman the Prime Minister is preparing to speak. [Mr. GLADSTONE: No, no!] I would ask the right hon. Gentleman, or one of his learned Colleagues, to answer me this question—When you speak of the spiritual authority of the Church of Rome, and say that its jurisdiction is spiritual, can you deny, after what has passed in the late Council at Rome, that the term "spiritual," according to the understanding of Rome, includes also temporal jurisdiction? Is it not a mere pretence to say that it is sufficient to restrain Rome in what she considers temporal, when you know that it has always been held by her that temporals are included in and are subordinate to spirituals? Is there not a want of candour in thus dealing with the subject? But the question really extends beyond this. The hon. and learned Gentleman told me, when he introduced this Bill, that he was merely going to present to the House a Bill for the repeal of the Ecclesiastical Titles Act as it was presented to the House of Lords. [The ATTORNEY GENERAL: As it passed through the Committee of the House of Lords.] And he spoke as if there was very little opposition on the second reading. Certainly there was not a Division, because the House came to a distinct understanding that the Bill was to be altered in Committee. Alterations were made in it in the Committee of the House of Lords; but every one of those alterations you last Session rejected. The hon. and learned Gentleman says that the Bill stands as it was introduced into the House of Lords. Well, here is what Lord Russell then said of it. Lord Russell was speaking on the 27th of May on the second reading of the Bill, as then introduced, and he said he did not suppose that the Government would persist in their adherence to the exact form in which it was drawn, and he trusted that, when it went into Committee, they would amend it and make it more consonant with reason. This is the Bill, then, which the Liberal Government ask us to pass the second reading of. The House of Lords passed it through a second reading, and amended it in Committee; and the Amendments were rejected in this House. Those Amendments were drawn by Lord Cairns, and what was the substance of them? In the Bill of last Session you described Her Majesty by a novel title—as "the Sovereign of this country." That was quite a new definition to introduce into an Act of Parliament. We have hitherto been accustomed, when we legislate, to legislate not with reference to the Sovereign only, but with reference to the Constitution, of which Her Majesty is the chief Officer and hereditary Head; and Lord Cairns introduced into the former Bill clauses reserving the rights not of the Sovereign of these realms, but of Her Majesty and her successors, thus recognizing the Act of Settlement, thus recognizing the Constitution, thus preventing it from appearing that it is a contest between Queen Victoria and Pope Pius; but recognizing it as a contest which is continued between the independent Crown of England and the chief of a great political confederacy. The Home Secretary was, however, so determined that there should be no recognition of the Act of Settlement, or of the succession to the Throne, or of the Constitution of this country, that, although my hon. and learned Friend the Member for Marylebone (Mr. T. Chambers) proposed to insert the words which are current in every Act of Parliament touching the Constitution, the right hon. Gentleman divided the House twice against the hon. and learned Gentleman, and succeeded in casting the words out, although my hon. and learned Friend was merely asking the House to accept the decision of the House of Lords with reference to the proper terms and purport of a Bill which dealt with matters of jurisdiction of this grave kind. And then the hon. and learned Gentleman (the Attorney General) comes down and says—"Oh! this is a very small matter. I am merely proposing to the House that they should carry out the doctrine of religious equality. In 1851, when the Act was passed, the nation was mad, and the House of Commons was obliged to give way to its madness." But what, Sir, did that madness come to? Why, the affirmation of the independence of this country against the pretensions of a foreign Prelate and Potentate. I say, then, that whether we consider the unnecessary encouragement the Bill would give to an agitation which it is the policy of the Court of Rome to keep up through its agents the Bishops in Ireland, to the detriment of the public peace; or, whether we consider this subject with reference to the peace and contentment of the subjects of Her Majesty, not being Roman Catholics, with whose confidence and comfort, and even loyalty, it is essential that there should be no wanton hand-tampering with the law, I say, that this Bill, whether we consider it in principle or in substance, is inappropriate and anomalous. What a flimsy plea it is to advance in support of the Bill, that it is necessary because of the possibility—for I believe that it is not at all certain—that the successors to the Bishops of the disestablished Church of Ireland may become liable to the penalties of the Ecclesiastical Titles Act! Your case, as against the Act, is, that its penalties are never enforced and yet suspicious; and because of this possiblity of the penalties being enforced against the Bishops of the disestablished Church of Ireland, a danger in which I do not believe—for, as my hon. and learned Friend (Mr. Charley) said, in Ireland there is no Established Church, and therefore no competition, for the terms of the statute of 1829 do not apply—yet you would repeat the statute of 1851. But, supposing it to be possible that the successors of the Bishops of the disestablished Protestant Church in Ireland should become liable to those penalties, which you say have never been exacted, is it for this that you are about to lame and incapacitate the great protest of this country against foreign aggression? Supposing, however, that your doubts are well-founded. I remember that the present Prime Minister, in the year 1851, earnestly and anxiously supported the 3rd clause of the Ecclesiastical Titles Act to exempt from these penalties the Bishops of the Episcopal Church of Scotland. [Mr. GLADSTONE was understood to signify dissent.] Well, if he did not, I can answer for it that he did not oppose it; and I certainly understood that he highly approved of the clause: at all events, I have never known him seek to repeal it. So far from that, I have known him to be an anxious supporter of another statute that gives the clergy of the Scotch Episcopal Church privileges across the Border in England. Surely he will not allude to that as treating the Scotch Episcopal Church with disfavour; and I would take the liberty of suggesting, if there is a doubt, whether the successors to the present Bishops of the disestablished Church of Ireland come under the prohibition and penalties as a consequence of the Irish Church Act of 1869, why not bring in a Bill of one clause to include them under the provision contained in the 3rd section of the Ecclesiastical Titles Act? Will the hon. and learned Gentleman the Attorney General tell us what are his objections to that proposal? But, no! We understand perfectly well the motive. The more formidable an agitation among the Roman Catholics in Ireland becomes, the greater is the necessity imposed upon Her Majesty's Ministers to meet the demands of the Roman Prelates; and the more dubious the influence of the Government in this House, the more necessary to their safety is the influence of the Roman Catholic hierarchy. I do not believe that for any other reasons we should ever have found the Government in the House of Lords acting in direct contravention of the Report of a Committee, to the appointment of which they themselves were parties. This is the final clause of the Report of that Committee—

> "It has been suggested that the object of the Act of 1851 would have been sufficiently attained by a simple declaration of the invalidity of any assumption of ecclesiastical titles of honour, or of any attempt to confer coercive jurisdiction otherwise than under the authority of Her Majesty, and according to the laws of the realm, unaccompanied by the enactment of any penalties. But the Committee are of opinion that, while a mere repeal of the section of the Act of 1829, and of the Act of 1851 would be open to misconstruction and therefore inexpedient, any advantage to be gained by a modification of those enactments in the manner above indicated would be more than counterbalanced by the evil of re-opening, without any sufficient reason, the discussion of a question always calculated to occasion much irritation of feeling."

Now, according to the judgment of the Committee of the House of Lords, the Government who have introduced this Bill are the real disturbers of the public feeling on this subject; and yet we are treated as if we, supporters of the existing law, were the disturbers—we, who seek to preserve the existing state of things which has given contentment to the great majority of the nation for more than 20 years. Sir, were there ever such flimsy pretences propounded upon seemingly, but not really, public grounds as those which have been put forth in support of this Bill? No, Sir! I am sorry to say that there is great disingenuousness in all this proceeding. So far as guarding against the effects of a supposed omission in the Irish Church Act of 1869 is concerned, the Bill is utterly unnecessary. The only true reason that can be assigned for the measure is, that Her Majesty's Government think it expedient and necessary to do obeisance to the Roman Catholic hierarchy; while at this moment, while the statute of 1851 is still in existence, the feeling in Ireland has become so strong against the habit of governing Ireland through those ecclesiastics, appointed, as they are, by a foreign authority, as unwholesome, that at a recent election we have seen a Roman Catholic rejected and a Presbyterian candidate elected by Roman Catholics in his stead. God grant that that feeling may continue to grow in Ireland; and in order to foster that wholesome, tolerant, and national feeling, I, for one, heartily vote in favour of the maintenance—and the effective maintenance, of this law, which is not merely declaratory of the ancient status of this country, not only passed for the purpose of maintaining the family of the reigning Sovereign upon the Throne as Protestants, but for the clear purpose of defending the nation from foreign aggression.

MR. SERJEANT SHERLOCK said, he would not follow the hon. Member for North Warwickshire (Mr. Newdegate) into the various grounds he had taken in opposing that Bill. He thought the measure, which aimed to repeal the Act of 1851, might be sustained upon this plain principle—An enactment was then introduced, imposing large penalties for the assumption of certain titles. It was said that that enactment was introduced at a period of considerable excitement; but, whether the Act was necessary or not at the time, this fact was undeniable, that never had there been a single prosecution instituted under it, notwithstanding the various Governments which had been in power since the Act was passed. The fact of this Act never having been acted upon, and thus remaining a dead letter for the last 20 years, justified the effort that was now being made to erase the Act from the statute book, if it contained elements of discord and animosity or was calculated to irritate a large class of Her Majesty's subjects. What institution of the country had been the better for the existence of that Act? Had the now disestablished Church of Ireland in any way benefited from it? The illegality by the ancient common law of the assumption of ecclesiastical titles derived from the Pope was not altogether so clear as the Attorney General seemed to think. The title of "Defender of the Faith" given to Henry VIII. was derived from the Pope and adopted by the Sovereign of Great Britain. True, that was not a territorial title; still, it was a legal title, and a recognition of the power of the Holy See to confer titles. He questioned whether the words of the declaration, that nobody but the Sovereign could confer any jurisdiction or authority whatsoever in this country, were not too wide; but that, and other points of detail could be better dealt with in Committee.

MR. GILPIN said, that in the year 1851, when the Act was carried, he had not the honour of a seat in that House, but he was a member of the Common Council of the City of London, and stood alone in his protest against a Petition in favour of the Act from his brother councillors. He voted heartily with the Government on this question, but on different grounds from any stated to-night. He voted for the abolition of the Act because he believed it never was necessary. There was no danger in the assumption of any titles whatever by any individual. The hon. Member for North Warwickshire (Mr. Newdegate) might take to himself the title of the Cham of Tartary, and he (Mr. Gilpin) would not utter a word of objection any more than he would to the assumption of titles by dignitaries of the Roman Catholic Church. The Act which they were now very properly asked to repeal was passed under the influence of Lord Russell, who excited the public mind by his "Durham Letter;" and when they remembered how egregiously that noble Lord had led them astray 20 years ago in that matter, and wasted nearly an entire Session upon it, it was to be hoped they would estimate at their proper worth his recent attempts to encourage the war spirit and increase the armaments of this country. He (Mr. Gilpin) stood there as an advocate of equality both for Roman Catholics—or rather Catholics, for he believed the word "Roman" was by some considered offensive—and Protestants. He would act side by side with his Catholic fellow-countrymen in obtaining equality; he would join with hon. Members opposite in opposing supremacy—equality for all, supremacy for none.

Mr. T. CHAMBERS said, he quite agreed with the hon. Member who had just spoken with regard to the advocacy of equality. But if the Constitution of the country was to be evaded, the evasion must not be confined to one party. He thought that if ever there was an Act passed as the result of an enthusiastic and almost universal feeling it was the Ecclesiastical Titles Act of 1851. It was, in fact, passed with the universal assent of the country, excepting only the former member of the Common Council of London. Why, then, were they asked to repeal it? It was admitted that nobody had had his liberty infringed by it, or had any fines imposed on him under its provisions. Where, then, was the grievance, and why was that question now stirred? He denied that in the Act of 1851, rightly understood, there was anything insulting to any member of the community. The very first Roman Catholic Member who had got up to speak in favour of the repeal of this statute at once proceeded to deny that the assumption of the titles which had led to its enactment was an infringement of the common law of the land. The very moment that Her Majesty's Government thought fit to raise this question—and they had raised it most unnecessarily—the Roman Catholics laughed at them and scouted the notion that common law forbade the assumption of these titles by the Bishops of their Church. It was inexpedient that this Bill should be passed for the purpose of repealing an Act under which no Roman Catholic had suffered, but which simply remained on the statute book as a protest against the right of the Pope to grant territorial and ecclesiastical titles in this country. Had hon. Members forgotten the celebrated Bull that had led to the passing of the Ecclesiastical Titles Act, and the assumptions it contained? That Bull was an incident in the history of the contest between the Church of Rome and the Constitution of this country. The issue presented by the Roman Catholic Members of that House was that there was no common law which prohibited the Pope from parcelling out this country into districts, and giving territorial and ecclesiastical titles to the Prelates of the Roman Catholic Church. What were the reasons assigned by the Government for disturbing the present state of things? He had heard of no irritation on the part of the Roman Catholics occasioned by this statute, and certainly no just grounds for such irritation existed. The Attorney General had asked the House to remove the last rag of religious intolerance; but there was nothing religious in the question. Before the promulgation of the Bull of 1850 the Roman Catholics in this country enjoyed complete religious freedom, and it was owing to a flagrant aggression on the part of the Pope that the Ecclesiastical Titles Act was passed; and it would be a gratuitous insult to the people of this country were that statute to be repealed, in defiance of the enthusiastic feeling on their part which had occasioned its being passed.

Mr. Serjeant SIMON contended that the proposal to repeal this statute in no way attempted to alter the common law of the land. It had been argued that the attempt to divide England into Roman Catholic archbishoprics and bishoprics was an aggression on the part of the Pope, and the hon. Member for North Warwickshire (Mr. Newdegate) had said that the Ecclesiastical Titles Act was intended to repel that aggression. In that case he was bound to say that to repel an international aggression by a municipal enactment was something altogether new in the history of international policy. If the Pope had violated international law, by illegally granting territorial titles in this country, that was a *casus belli*, but not a ground for passing an Ecclesiastical Titles Act. The sooner that Act was repealed the better for the honour of this country. He perfectly concurred in the view of the law which had been taken by the Attorney General, and thought the present Bill formed a necessary corollary to the statute which disestablished the Irish Church.

MR. JESSEL took objection to the view of the Common Serjeant (Mr. T. Chambers) that the Ecclesiastical Titles Act ought to remain on the statute book, as a protest against assumption by the Roman Catholic Church, and pointed to the fact, that though the statute was enacted 20 years ago it had been frequently infringed and never enforced, as one of the strongest reasons for its repeal. There was yet another reason which would, he hoped, weigh with the House—that, though utterly useless, the Act remained unrepealed, notwithstanding the fact that many thousands of their fellow-countrymen regarded it as an insult to themselves and to the religion they professed.

MR. GREENE confessed to some surprise in hearing eminent legal authorities contradict each other so flatly. One hon. Gentleman said the law was not enforced, because the Government dare not enforce it, while another had contended that the law was a dead letter. The Committee of the House of Lords who inquired into this subject were not of opinion that the Act which it was now proposed to repeal had been ineffectual, because since it was enacted there had not been any ostentatious assumption of territorial titles by Roman Catholic Bishops in this country. Lord Palmerston, in supporting the Ecclesiastical Titles Act, contended that it was not inconsistent with the Act of 1829, and that it should not be regarded as a measure of a penal character. But the Attorney General now said that the Ecclesiastical Titles Act, although it had not been enforced, was distasteful to the Roman Catholic Prelates in Ireland. He (Mr. Greene) would ask whether the people of England were to be governed in accordance with English sentiment, or in accordance with the sentiment of Roman Catholics in Ireland? He deeply respected the Members of the Roman Catholic Church in that House for their consistency of conduct, and only wished the Protestants were as earnest. But why should we admit a power not religious only but temporal, which might bring about a state of things that would make another Reformation in England? The electors of this country should seriously consider whether it was not the policy of the present Government to favour the Roman Catholic hierarchy as against the Protestant Church of this country. Dissenters would find out their mistake in relaxing protective legal provisions on the ground of religious equality. The Act sought to be repealed was of great importance; it had had a very wholesome effect, and if it remained it would prevent a very serious collision. If anybody in that House were so sanguine as to believe that such men as Drs. Manning and Cullen could be easily defeated in their schemes, it was a great delusion. He was surprised that the representatives of Scotland, so renowned for its Protestantism, should go, one and all almost, into the Lobby with the Government, and he hoped that the bit of their mind which the constituency of Glasgow gave their Members would have some salutary effect. At all events, he could not allow the subject to pass without a protest against the introduction of a power which our forefathers had made such noble sacrifices in resisting.

SIR DOMINIC CORRIGAN said, the hon. Member for North Warwickshire (Mr. Newdegate) had occupied much more time than he should in proving that the spiritual supremacy governed all temporal matters, and, having searched history through down to our own times, the only illustration of his argument the hon. Gentleman was able to adduce was that within the last few weeks a Catholic constituency had returned a Presbyterian in preference to a Catholic. It had been said there was no grievance in this matter; but the same argument was applied to both the Irish Church and the Irish Land Bills. It was not the men who inflicted a grievance who could best judge of that grievance, and sometimes the worst grievance of all was a sentimental grievance. The Irish people, with all their faults, were a high-spirited people. They would feel a material injury less than an insult, and he perfectly concurred in what the Lord Chancellor of Ireland had said, that as long as this Bill remained on the statute book there was an incessant feeling of wrong, insult, and grievance which would never disappear until the Bill was repealed. He had always wished that we should be a United Kingdom; but if it was asked—"Was Ireland to dare to differ from England; or was England to govern Ireland as she chose;" that was not the way to keep us united. It had been alleged by an hon. Member that there was no grievance, because the law had not been enforced. There were two reasons for not enforcing a law, and one of them was that the law was so bad that no one dared to enforce it. One of the greatest writers on this subject had said that laws, in order to be obeyed, must be the exposition of a nation's feeling and a nation's reason. Was the present law an exposition of a people's feeling? It was not, and that was the reason why it was not enforced. The hon. Member for Bury St. Edmunds (Mr. Greene) had argued that the law had not been violated. Was there a day or an hour in which it was not? There was no lesson that could be taught a people worse than this—that there were laws which it was no crime to disobey, If the poor man, however well taught. saw those above him in the highest offices of State, aye, up to the Throne itself, break one of the solemn laws of Queen, Lords, and Commons, how was he to be expected to obey other laws? Now, this law was not only broken by the people and by the Bishops, but by one of the most important Departments in this country. The Legislature had declared that the soldier of every religion should have the spiritual consolations of his faith; but no priest could act as chaplain in any portion of the British Army unless under the sign manual of his Bishop, and there was not a day that a sign manual was not issued, and went to the Horse Guards. If the law was a bad one—so bad that it could not be changed—it was useless to discuss it or enter into religious dogmas. He would only appeal to the spirit which ought to animate all hon. Members, and say—let us have no laws but those which are worthy of being obeyed.

Mr. G. B. GREGORY said, the Attorney General had maintained that it was proper to repeal this Act because it was antagonistic to the feelings of a certain portion of the Irish people. Since he had the honour of a seat in that House he had often heard that kind of argument. It had been used in the case of Catholic Emancipation, in that of the disestablishment of the Irish Church, and that of the Irish Land Bill, and he thought they had had enough of this policy of conciliation. Had it been justified by the event? They had had one or two elections lately in Ireland, and he did not know that the Prime Minister could congratulate himself on the result. The Attorney General also based this Bill on the ground of necessity drawn from the passing of the Act for the disestablishment of the Irish Church. He doubted whether there was any such necessity, or if there was, it might be met by a very simple clause, as had been done in the original Act with respect to the Episcopal Church in Scotland. Feeling that there was no ground of complaint against the law as it stood, he should certainly vote against the second reading of the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 137; Noes 51: Majority 86.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

MINES REGULATION BILL—[Bill 16.]

(*Mr. Secretary Bruce, Mr. Shaw Lefevre.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Secretary Bruce.*)

Mr. MAGNIAC protested against the Bill being proceeded with until hon. Members had been afforded a sufficient opportunity of consulting with respect to it the opinions of their constituents. Last year, when a similar measure was before the House, it was utterly impossible to procure any information from the Government as to how or when it was to be proceeded with. The difficulties which the right hon. Gentleman then experienced were, no doubt, very serious; but he believed they were very much of his own making. As to the measure of last year, it was received in Cornwall with the utmost dissatisfaction; and although, in regard to that Bill, page after page of the Amendments appeared on the Votes, none of those Amendments had been embodied, so far as he could see, in the proposal of this year. At all events, so far as time had admitted of a cursory examination, none of the Amendments proposed by the Cornish Members appeared to have found any place in it; and it was, at any rate, desirable that those who were interested in its provisions should know what it really contained. As, however, he had been fortunate enough to obtain an assurance from the Secretary of State for the Home Department that a sufficient amount of time for properly considering the Bill would be given before going into Committee, he did not propose to press his Amendment.

LORD ELCHO said, that he was glad to find the progress of the Bill at that stage was not to be delayed; but that the right hon. Gentleman the Secretary of State for the Home Department would endeavour to carry out the wish expressed last Session—that the Bill should be introduced this Session at a time that would allow of its going into Committee before Easter. All were agreed as to the principle of the Bill, and if those who represented the miners of Cornwall could not bring themselves to assent to the provisions of the measure as regards Cornwall they could easily except Cornwall in Committee. He had been requested by a deputation of miners to thank the right hon. Gentleman for his extension of the operation of the Bill to metalliferous mines as well as to coal mines. There had been several improvements introduced into this Bill. A most judicious compromise had been made with regard to the age at which children should be allowed to work in mines. Boys were to be allowed to work in mines at 10 years of age, but with restrictions with regard to the time of employment and provisions for their attending school—a change advantageous to the boy and for the interest of the mining population generally. The change in the provisions with reference to ventilation and the *onus probandi* clause did not appear to be advantageous. It would be necessary also to carefully consider the regulations with regard to penalties. He reminded the House that nothing but the excessive pressure of business last Session prevented the measure being passed then, and he expressed his thanks to the Home Secretary for having reintroduced it at the earliest possible period.

MR. FOTHERGILL said, the feeling against the Bill was very strong in South Wales, and he viewed with alarm the reading of the Bill the second time, before the people of South Wales had had an opportunity of expressing an opinion upon its provisions. He thought the removal of the *onus probandi* a very valuable change, and he had to thank the Secretary of State for the Home Department for giving those who were affected by the Bill the power to appeal. He objected to the payment of the men by measure or weight, and would have preferred its being confined to weight only. He hoped the second reading would not be pressed on.

MR. DILLWYN said, great disappointment would be felt in Wales if longer time were not given before the second reading of the Bill. That was the proper stage on which to take a discussion on its merits, and they would be unable fairly to do this unless time were allowed them to hear from their constituents. He was much disappointed at the omissions of the Bill, and also its general tenor. They had been legislating on a wrong principle hitherto. They adopted resolutions, but they made no provisions for carrying them out. He recommended that, to insure the proper fulfilment of the intentions of the Legislature, the appointment of properly-qualified underground overmen should be insisted on as of the first importance.

MR. A. F. EGERTON, as one who was largely interested in coal mines, declared himself most anxious for the passing of that Bill, as far as its principle was concerned, and also that it might pass as soon as possible. There were a few points, however, on which Amendments might be introduced into the measure at the proper time. For example, he would suggest that it was very desirable that some encouragement should be given to night schools for the instruction of collier lads—a point omitted from the Bill as it stood. Again, Clause 47 enabled a Court of summary jurisdiction to award imprisonment for three months, with or without hard labour—a power too great, he thought, to place in the hands of one stipendiary magistrate, or two justices of the peace, ignorant of the peculiar characteristics of coal mines. Such a power ought to be given only to a Court of quarter sessions. Clause 49 was also a curious one, as under it proceedings might be taken in an inferior Court and at the same time in a superior Court, and while the proceedings in the latter tribunal were pending those in the former might be stayed. The effect of that would be that a man might be tried in a superior Court and acquitted, and then find himself liable to have proceedings against him gone on with in a Court below. True, he could not be punished twice for the same offence, but he might be tried twice, or something very analogous to it. These were matters of detail that would require attention in Committee.

Mr. MUNDELLA said, he could not regard the Bill as a piece of hasty legislation, as its subject had been for the last five years before the House, and his constituents interested in mining, both employers and employed, were quite tired of the agitation that had been carried on during that period. He hoped, however, before going into Committee, the right hon. Gentleman the Secretary of State for the Home Department would give them time to master the new features of his measure, and to place before the House and the country such Amendments in it as might be necessary. He thought a child of 10 years of age ought not to be allowed to work in a mine. He also disapproved of women and female children being allowed to work on the pit-bank, for nothing, in his opinion, was more discreditable to our civilization than the sights that were daily witnessed at the collieries, especially of Lancashire, where women, dressed in the garb of men, worked with the banksmen, smoking short pipes with them, except, perhaps, when their babies were brought to the pit-bank and nursed there by mothers in men's attire and with blackened faces. This practice of employing women outside coal pits, as they were formerly employed down the mine itself, prevailed also in some parts of Scotland and Wales. He besought the Government to put an end to so degrading a practice. There ought also to be a provision in the Bill for weekly payments, for the truck system lived by long payments; and in order that the framers of the measure might more fully apprehend the evils of the system, and see the necessity of insisting upon weekly payments in opposition to those evils, he suggested that they should have the Report of the Truck Commission before them, and have the advantage of the important evidence it had obtained. He also strongly advocated weighing the quantities raised from the pits by the workmen as a means of preventing disputes. With regard to inspection, he reminded the House that of the 330,000 miners in Great Britain, 1,100 were killed annually, 10,000 injured; and of this last number 5,000 were permanently lamed. Were the system of inspection thorough, experienced men in these matters estimated that half the number of these casualties would be spared. He thought this country might learn a profitable lesson from Saxony, where no man was allowed to act as superintendent or overseer of mines who had not passed through a scientific education at the mining school. The Bill should be passed in a complete form, and an end put to the agitation of that question.

Mr. BROWN said, he was sorry that more time had not been given them to consult their constituents on the subject of that measure. The inspection at present was a mere farce, and if the number of Inspectors were not increased, inspection had better be done away with altogether. He agreed with other hon. Members that 10 years of age was too early for a child to work hard underground in a constrained and unhealthy position. The employment of women and female children on pit-banks ought to be abolished, as degrading and unsexing in its tendency. He also urged the introduction of a clause providing for the payment of wages weekly, which he believed would put an end to the evils of the truck system. He trusted that the Committee on the Bill would be put off till such time as would enable Amendments to be framed which would effect a final settlement of the question.

Mr. A. W. YOUNG said, this was not the Bill of last year, for the present Bill was considerably altered from the previous measure. He did not object to the second reading; but some interval should be allowed to elapse before the Committee was taken, in order to allow hon. Members to communicate with their constituents.

Lord FREDERICK CAVENDISH said, he could not agree with the hon. Member for Sheffield (Mr. Mundella) with respect to the clauses regulating the age of boys working in mines, and he thought that the provision in last year's Bill was calculated in districts where collieries were close to factories to turn the whole labour of those districts into certain occupations. So far from regarding the Bill as a retrograde one, he thought it a Bill in the right direction.

Mr. B. SAMUELSON said, he thought the Bill of the Secretary of State for the Home Department dealt rather too tenderly with the evils it was intended to prevent. He thought it permitted children of too young an age to be sent down into mines, and that it failed to require efficient inspection. In North Germany no child under 16 was permitted to be employed underground. The overmen could not at present be expected to pass a theoretical examination, but there could be no hardship in requiring that all men appointed after a given distant day, say 1st January 1876, should be required to produce certificates showing their competency to discharge their peculiar duties. As regarded inspection, the Secretary of State for the Home Department would admit that if it could be had, it was worth paying for; and when they were going to vote £3,000,000 or £4,000,000 to repay the over-regulation prices to those whose only claim was founded on their own violation of the law, they ought certainly not to grudge an extra sum of £10,000 or £15,000 per annum for the efficient inspection of mines. He did not think it could be possible to inspect every mine once in three months, but the difficulties of inspection, and even the number of mines actually in operation had been greatly exaggerated. Many, particularly in South Staffordshire, were returned as at work, which has been closed for years. The Secretary of State for the Home Department ought to be in possession of the state of discipline in every mine in the United Kingdom, and this could only be ascertained by the personal examination of Inspectors. It had been urged that by appointing Inspectors, all responsibility would be taken away from the owners of mines; but he could not see the force of the argument, because, in his opinion, the owners of mines were anxious that their mines should be worked on sound principles. The system of propping by the contractors or butties still prevailing in South Staffordshire, was the cause of twice the number of deaths, by fall of roof occurring there, than took place in the North of England. He trusted the Secretary of State for the Home Department would show a little more courage in dealing with the matter, and that he would make the provisions of the Bill far more stringent than they were at present.

MR. ELLIOT expressed his opinion that the clauses of the Bill dealing with the safety of the miners could not be much improved, as they showed that the framers of the measure were acquainted with mining affairs to the utmost *minutiæ* of detail. Upon the question of the age at which children should be permitted to be employed in mines, he thought the matter might be left to the discretion of the Secretary of State for the Home Department, where the mineowners and parents were agreed, because, whereas in some districts it would not be right to permit children under 12 years of age to descend the mines, in others no harm would result from permitting children of 10 years of age to be so employed. In regard to the penal clauses, he hoped that it would be found practicable to impose fines—up to £100, if they liked—on the owner, and up to £10 on the miner, and only to resort to imprisonment if those fines were not paid. No man had taken a deeper interest in the safety of mines than himself, and if he thought that sub-inspection would result in the saving of lives he would gladly approve of its adoption. But he remembered his own experience as manager of a colliery, and he knew how natural it was for a man in that position to feel that when the Government Inspector had been over the workings all responsibility on his part was at an end, at least for a time. Such a feeling ought never to be encouraged; and any legislation that tended to encourage it would create a greater evil than it remedied. On the whole he felt sure that the Bill would prove acceptable both to the owners of mines and to the men employed in them, and would be the means of effecting many useful reforms, and therefore he hoped it would be allowed to go into Committee.

MR. BROGDEN said, he did not consider the Secretary of State for the Home Department at all chargeable with undue delay in this kind of legislation, the present Bill, in substance, having been long before Parliament. He approved of the limitation of the age as pointed out by the hon. Member for Sheffield (Mr. Mundella), but regretted that the Bill embraced not only coal mines, but metalliferous mines also, the conditions of which were in many respects entirely different. Before the last-named class of mines was introduced into the Bill, time should have been allowed for an expression of opinion to be received from those most closely interested in the question. When the proper time arrived—in Committee—he should invite the attention of hon. Gentlemen to this point.

Mr. GATHORNE HARDY complimented his right hon. Friend the Secretary of State for the Home Department on the discussion which had arisen, although he thought every objection that had been taken could have been more satisfactorily taken in Committee than in a debate on the second reading of the Bill. He could not quite understand the view taken by some hon. Members, who began by making sweeping objections to the measure, and ended by saying that, as their constituents disapproved it, they ought to have an opportunity of seeing the Bill. It reminded him of the captain who bound a man with two chains, and then asked who he was and what he had done. The hon. Members first prejudged the Bill and then wanted time to look into its provisions. This was one of those measures which, when introduced two or more years ago, it seemed desirable to pass in the first instance, but which a subsequent acquaintance with the facts had been shown to need modification in some particulars; and he had no doubt that when it had passed through and been further amended in Committee, and was brought to its final stage, it would be found to be a measure deserving a satisfactory reception in all parts of the country which would be affected by its provisions. The districts of England in which the Bill would operate were dissimilar in many respects. In some parts of the country it did not matter whether the restriction as to the age at which children were to be allowed to go into the mines was fixed at 10 or 16 years, for they would find their way there in the end; but in districts where there were not only mines but manufactories, it would be found that they would be sent to the factories at an early age, and then the mine owners would altogether lose the advantage of youthful labour. He did not see why children should not be allowed to labour in the mines, where, as a rule, they would be engaged in work with their own fathers—under the same or similar "half-time" regulations that obtained in factories. If this were not so, the colliery owners in certain districts would have a right to complain that a law was being meted out to them different from that under which manufacturers conducted their business. With respect to another branch of the subject, he felt sure that a system of minute inspection, such as was suggested by the hon. Member for Banbury (Mr. B. Samuelson), would result in enormous expenditure, with but small corresponding benefit, and would, at the same time, afford little or no additional protection to the workmen, because it would decrease the responsibility of colliery owners and managers. He felt confidence in the course proposed by the right hon. Gentleman in charge of the Bill, because, in his opinion, the measure hit the mean between rendering managers almost entirely irresponsible, through excess of Government inspection, and allowing them to conduct their business in a reckless manner, because the Government inspection was either insufficient or inefficient. He believed that it would be impossible to inspect thoroughly one of the larger mines in Northumberland in less than a fortnight. Such an inspection would be costly, and it would be of no benefit to the miners themselves. He was quite sure that the miners would regard this measure as a well-considered compromise, and he trusted that it would be passed in a shape that would be satisfactory to the workmen and the mineowners, and also to the Houses of Parliament.

Mr. BRUCE said, he was far from complaining of the remarks that had been made, whether as to the time at which this Bill was proposed, or as to the details of the Bill. With respect to the objection as to the time at which the Bill was proposed, the answer had been already sufficiently given that the Bill had been before the country for a long time. Last year the Bill was read a second time without any opposition. The changes that had been introduced were few, and as a general desire had been manifested that the Bill should be proceeded with with all diligence, and the Bill was essentially one of detail, he thought the best course was to get it read a second time as early as possible, with the full understanding that ample opportunity should be given to consider its details before going into Committee, and with that view he proposed that the House should not go into Committee until the expiration of three weeks. If there was one exception to the general tone of the discussion, it was the speech of the hon.

Gentleman who commenced the discussion (Mr. Magniac), and whose complaints were unfounded. That hon. Gentleman said that certain Amendments with respect to the inspection of mines had been introduced for the first time without the wish of the Cornish miners. Now, so far from that being the case, every single Amendment affecting mines in Cornwall was introduced after discussion with, and with the approval of, the Members for Cornwall themselves, the only difference being that the clauses were arranged more systematically. The children employed above ground in connection with coal mines were not included in the Workshops' Regulation Act, and therefore the Select Committee suggested that the Workshops' Regulation Act should be applied to such children. But the character of the work done by the children in Cornwall and elsewhere in cleaning the produce of copper and tin mines already subjected them to the operation of that Act. He would proceed to notice very shortly a few of the objections to the Bill. He thought the best answer that could be given to the objection of the hon. Member for Banbury (Mr. B. Samuelson) was that given by the hon. Member for North Durham (Mr. Elliot). Hon. Members must know that as to framing rules on a subject of this kind, anyone occupying the position of Secretary of State for the Home Department must take the advice of the most competent advisers—namely, the Inspectors of Mines, and with them he had consulted, and had largely availed himself of their advice in preparing the general rules contained in the Bill. Since the measure was before the House last Session, he had received suggestions from various parts of the country against an absolute exclusion of children under 12, who, it was said, earned very considerable wages. He had so far altered the Bill of last year that children of 10 years of age would be permitted to work underground but only for three days a week, and with provision for their education up to the age of 13 years. With regard to the employment of women above ground—no women were employed under ground—he agreed very much with what was said by the hon. Member for Sheffield (Mr. Mundella) that that question must be left to the general feeling of the population, and to the spread of general enlightenment. As to the complaint of the hon. Member for Wenlock (Mr. Brown) that masters and workmen were differently treated with respect to appeals, he denied its justice; the appeal was given to both parties whenever the magistrates imposed a sentence of imprisonment without the alternative of a fine. As to the remarks of the hon. Member for North Durham (Mr. Elliot), he thought that for ordinary offences, which might cause some injury to machinery, fines would be an amply sufficient punishment; but that as to greater offences whereby the safety of people engaged in mines was endangered, there ought to be the power of inflicting severe and summary punishment; but in these cases an appeal to a higher Court had been provided. As to short payments, the whole of that question would be brought under the consideration of the House when the Report of the Commissioners on the Truck System was presented. The evidence was now completed; but it was voluminous, and the Report could hardly be expected in less than about five weeks from the present time. It was of the utmost importance that the means of obtaining a complete education should be afforded to mining agents. But no mining schools existed in this country, or at least to an extent altogether insufficient for the education of so numerous a class. Let schools and means of education be provided, and then we should have a right to insist upon a strict preliminary examination. The case of shipmasters was not analogous, because the shipmaster went to sea for perhaps five or six months, and during all that time the lives of the crew were in his hands. But an agent who committed a mistake might be taken before a magistrate and immediately removed by his employer. All these things, however, were matters for Committee, and, in order that ample time might be given for the consideration of the Bill by the country, and for putting Amendments on the Paper, he should name the Committee for that day three weeks.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* 16th March.

INCLOSURE LAW AMENDMENT BILL.

(*Mr. Shaw Lefevre, Mr. Secretary Bruce.*)

[BILL 32.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Shaw Lefevre.*)

SIR FRANCIS GOLDSMID, though he had no intention of opposing the second reading of the Bill, wished at once to offer some observations upon it, both because the remarks he desired to make were of too general a character to be suitable for Committee, and because it might be convenient to give the Government time for considering the Amendments which he should have to suggest. He would, in the first instance, remind the House of what had been stated with great clearness by his hon. Friend and Colleague the Under Secretary of State on the introduction of the Bill, but had not unfrequently been left out of sight in discussions on similar matters, that to abstain from passing Inclosure Bills could not possibly be any interference with the rights of property, since it left lords of manors and commoners to exercise those rights as they pleased. Although, therefore, Parliament had for a long series of years given great facilities to the passage of Inclosure Bills, because it believed that by bringing waste land into cultivation they promoted the public advantage; still, if the circumstances of the country had changed, if the views of what was politic were modified, the Legislature was perfectly free to alter its course. It was perfectly free, without any possible imputation of violating proprietory rights, to refuse to pass Inclosure Bills, or to attach to the passing of them any conditions which, on behalf of the public, it might consider advisable. That this was the opinion of the Legislature, was shown by the Metropolitan Commons Act of 1866. Now, in determining how far it was conducive to the public interests that they should afford facilities to the passing of Inclosure Bills, the first question to be answered was, whether they were desirous that legislation should take such a course as should tend to as rapid an increase as possible of the population, or whether they would prefer that their legislation should tend to a somewhat less rapid increase of population, provided that the people were likely to be in a better position with regard to morality, and to enjoy a larger amount of happiness. He thought the House would have no difficulty in deciding in favour of the latter alternative; and the necessary corollary of that was that stringent conditions, on behalf of the public, should be imposed on the passing of these Bills. Among the most important matters to which these conditions ought to relate were—reservations of recreation grounds, and of foot and bridleways. To footpaths and bridle-roads, which were provided for—but he thought not sufficiently—by the 9th section of the Bill, he was, perhaps, led to attach greater value from his living in a district where their unusual number had afforded him an opportunity of appreciating their advantages. It appeared to him that existence in such a district, where you might walk or ride in almost any direction that you chose, and might visit nearly all the prettiest positions, was worth twice as much as in a neighbourhood where, in walking or riding, you were confined to narrow lanes and muddy or dusty roads, and where, as a consequence of that confinement, you were excluded from many of the most beautiful points of view. Nor let it be said that this was the mere fancy of men of leisure. You had only to look at the places which the better class of workmen selected for their jaunts, in order to be satisfied that they were not insensible to the beauties of nature. Nor, again, did it require much foresight to perceive that, with the improvement of education, such tastes were likely to extend among the working classes. Let it be remembered that the love for scenery was, even among the educated, of comparatively recent growth. Passages cited by Lord Macaulay in the second volume of his *History of England*, showed that less than 200 years ago, the Highland hills and heaths of Scotland were subjects of horror rather than of admiration, and that even cultivated men preferred the flat and fertile pastures that surrounded Leyden. To encourage tastes, such as that for natural beauty, was, in his (Sir Francis Goldsmid's) opinion, among the best means of promoting moral improvement, and checking drunkenness and other degrading habits. To such means he looked with much more hope than to the prohibitions and penalties which were in favour with the hon. Member for Carlisle, or even to the no doubt useful Bill, about to be introduced by the Home Secretary, for subjecting to stricter regulations the sale of fermented liquors. Men must have amusements. If you wish to get rid of the low and hurtful, then encourage the elevating and innocent. In comparing the importance of increasing the home-growth of food with that of preserving recreation grounds, and walks and rides, we should remember the growing facility of importing provisions. Already we brought from the other side of the world a not inconsiderable proportion of our cereals, or—to use the American phrase—bread-stuffs. The same thing had been tried as to meat, and had, to a certain extent, succeeded. It might reasonably be hoped that this success would increase with improving means of transport, and with the advance of chemical science and mechanical ingenuity. But it was scarcely necessary to point out that no improvement in the facilities of conveyance, or in cooking, packing, or chemistry was at all likely to enable us to import footpaths or rides. The considerations which he (Sir Francis Goldsmid) had mentioned, led him to the general conclusion that, although the original purpose of Inclosure Bills—the bringing of more land into cultivation—had not lost its importance, yet in the altered and altering circumstances of the country, that purpose ought only to be pursued so far as it was consistent with, and in subjection and subordination to, the more important object of securing for our increasing population amply sufficient spaces for recreation and exercise. Nor should it be forgotten that if we, in one year, went somewhat too slowly in passing Inclosure Bills, we might, in a succeeding year, make up the deficiency. But if we went—as in some instances he believed we had already gone—too far, we could not re-trace our steps. We could not do so wasteful a thing as to throw out of cultivation land in tilling which we had, by sanctioning its inclosure, encouraged the outlay of capital. The present Bill seemed to him to be, in a great measure, framed in accordance with the principles he had ventured to indicate; but two of its clauses required, he thought, important amendments—the 3rd and 9th. The 3rd clause directed the appropriation, for the purpose of recreation grounds or field-gardens, of one-tenth of the land to be inclosed, unless such tenth should exceed 50 acres, and in that case of 50 acres only. Now it appeared to him most unreasonable that although, if the land inclosed comprised 500 acres, 50 would be appropriated to the purposes mentioned, 50 acres, and no more, should still be the quantity if the inclosure extended over 1,000, 2,000, or 3,000 acres. It would, he suggested, be much more rational that the appropriation for recreation grounds or field-gardens should include one-tenth of the first 500 acres to be inclosed, one-twentieth of the second 500, one-thirtieth of the third, and so on for any greater quantity. His objection to the 9th clause—which related to the highly important subject of the setting-out of paths, rides, and drives—was, that it gave to the Inclosure Commissioners a permission only instead of a direction. The existing enactments as to recreation grounds and field-gardens had been of comparatively little use, because they were merely permissive; and accordingly the framers of the present Bill proposed to substitute for these the compulsory provisions of the 3rd clause. A similar reason existed for making the 9th clause also compulsory. There was one other point to which he wished to refer; and that was, that when land was extremely valuable there were continual instances of lords of manors doing illegal acts under pretence of legal rights, and the result was that many illegal inclosures has been made. It was a difficult matter, of course, to frame a clause to check such proceedings; but the matter was one which, in his opinion, well deserved the consideration of the Government.

COLONEL BARTTELOT said, that if the Bill had been founded on the recommendations of the Committee which sat on the subject two years ago, he should not dissent from its provisions. It, however, went far beyond those recommendations, and incorporated the proposals entertained in the Bill of the right hon. Member for South Hampshire (Mr. Cowper-Temple) which ought, he thought, to be dealt with in a different manner. Under those circumstances, although he should not oppose the Motion for the second reading, he hoped the Bill would be referred to a Select Committee not for the purpose of delaying, but rather of facilitating its progress. He thought it was desirable the Commissioners should be allowed to judge of the requirements of a particular locality, for they were perfectly competent to decide what allotments should be given to labourers, and what land should be set aside for the purposes of recreation. How much better, too, he would ask, would it not be that where ground was of a swampy and bad nature it should be drained and properly cultivated than left as it was, paying nothing in alleviation of those local rates which pressed so heavily on particular districts? He was, of course, far from saying that allotments should not be given to the labouring poor, and as to the commons, of which the hon. Baronet who had just spoken seemed to think the great landowners and lords of the manors got the lion's share, he might instance the case of one inclosure in his own immediate neighbourhood in which the lord of the manor got only a sixteenth part. Under all the circumstances, the proper course, in his opinion, to pursue, was to send the Bill to a Select Committee.

MR. WINTERBOTHAM said, he hoped the House would not accede to the hon. and gallant Gentleman's proposal. He felt very grateful for the introduction of the Bill, because it recognized the principle that the people had a real interest in the public lands of this country. Before the year 1845 the rights of the poor in connection with waste lands were systematically and absolutely ignored. No less than 4,000 private Acts had up to that time been passed for making inclosures—2,000 in the last century, and 2,000 in the first half of the present century. The Bill of 1845 directed the Commissioners to authorize inclosures only when expedient, and contained provisions with respect to recreation grounds and allotment gardens. Under it, about 500,000 acres had been inclosed, yet only an infinitesimal portion had been set aside for recreation grounds and allotments; nor did it appear that the Commissioners had ever stopped any inclosure on the ground of the interest of the public generally. The Act of 1866 provided that, within a certain distance of the metropolis, commons should not be inclosed under the Inclosure Acts at all, thus recognizing the interests of

the general public as against those of the lords and the commoners. The present measure extended this provision to all large towns. It also improved the earlier provisions as to allotments and recreation grounds. The Bill did not go quite far enough, however, for it only considered the interests of the public in the particular locality in which the waste lands were situated. We were only beginning to open our eyes to the sanitary conditions under which our immense population was living, and perhaps hon. Members were scarcely aware of the growing extent in which our increasing population was pent up in towns. Those growing masses of the people had an immense interest in the little that was left of the waste lands of the country; and the Legislature would be recklessly improvident if it did not consider the interests not only of the present population, but also of the very much larger population which would follow them. It was not enough to provide for the interests of the locality, around, for instance, the Malvern Hills, Helvellyn, or Snowdon; such places were frequented by the public from a far wider range, whose interests were entirely unprotected by the Bill. He did not think the interests of the landed proprietors of the country were more adverse to the public interest than were those of any other class; perhaps they were less so. But he asked them to recollect that their number in this country was constantly diminishing; that estates were growing in size, and getting into fewer hands; that the occupation of land was also getting into fewer hands, and that as farms became consolidated and the use of machinery increased, fewer labourers would be employed on the land. He did not complain of this; but what would be the result if the number of persons brought into direct contact with the land as owners, occupiers, and cultivators diminished in number while the population increased? Those persons who favoured the present system should, therefore, consider how it might be made most tolerable to such as had no land. If all land were inclosed, and the rights of property strictly exercised over it, the people being kept to the public roads, living in England would become intolerable. At present, the liberal use of their parks and of private waste land allowed by certain landed proprietors was a mitigating circumstance. As a landless man and an habitual trespasser he gratefully acknowledged this. But the public had an interest in the use of the public waste lands of the country; and if you allowed no vent to the indescribable longing for a country life among the town masses of the population, there would be a growing feeling of discontent which would operate much more seriously than the advocates of inclosure were aware of. One point he wished to bring under the notice of the right hon. Gentleman at the head of the Government, who praised the liberal administration of the Crown lands. There was no private proprietor who used the rights over waste lands in so grudging and so niggardly a manner as the Crown and the Duchy of Cornwall. The Crown lands were coined into the last farthing; and what might give enjoyment to thousands would be sold for a halfpenny if no more could be got for it. He would, therefore, make these practical suggestions—First, the Crown and the Duchy of Cornwall should be expressly restricted from inclosure. Next, no inclosure should be allowed anywhere except under the Inclosure Acts, so that under no circumstances could the lord and the commoners, acting together, or the lord alone under the Statute of Merton, evade the intentions of the Legislature. Again, no inclosure ought to be made until the Secretary of State, or some other responsible person, was satisfied that not only were local interests satisfied, but that the interests of the public at large were not injuriously affected. Parliament was asked to legislate very much in the dark on this question. In 1844, Mr. Blamire's estimate of the extent of waste lands in England was 8,000,000 acres. Another estimate was 6,000,000; but we now really had no accurate knowledge on this point, and the extent of land available for the public use was probably much smaller than was supposed. He suggested, then, that there should be a survey of the waste lands of the country, and under the direction of the Ordnance Department such a survey could be made with very little difficulty or expense. Until a survey had been made they ought to hold their hands, and he therefore trusted that his hon. Friend (Mr. Shaw Lefevre) would consider favourably the Amendments which he should place upon the Paper for proposal in Committee, with a view to prevent inclosures without the sanction of the Secretary of State, and to provide for the survey of the waste lands of the country.

MR. WALSH said, he had no great fault to find with the Bill. In the county which he represented (Radnorshire), where there were a great many waste lands, they were regarded as unmitigated nuisances. Not only did they give rise to a great deal of local crime, but they especially afforded facilities for sheep stealing and harbouring of vagrants. They were also a fruitful cause of bad blood and feuds, in consequence of disputed rights of pasture. So much was this the case, that shepherds were frequently selected not because they were well skilled in the management of sheep, but because they were proficients in pugilism. It would, therefore, be a source of congratulation if those lands were inclosed on fair terms. Nearly every class in Wales was in favour of their inclosure; but that the lord of the manor should not have the right of veto different to that enjoyed by the Commissioners. Although not entertaining that view, he considered it was one that might be advantageously submitted to a Select Committee. He believed, however, with the hon. Member for Stroud (Mr. Winterbotham) that no lord of the manor was so hard a taskmaster as the Commissioners of Woods and Forests. Indeed, the encroachments made by the Commissioners were constantly increasing, and but little, if any, attention was ever paid to the rights of the commoners. He should not vote against the second reading, but he should support, at a later stage, the proposal of his hon. and gallant Friend (Colonel Barttelot) to refer the Bill to a Select Committee.

MR. FAWCETT moved the adjournment of the debate.

MR. SHAW LEFEVRE said, he hoped that his hon. Friend would not press the Motion. Looking at the business before the House, he feared it would be many a long day before so good an opportunity could be found for the discussion of the question, and it was still early.

MR. J. LOWTHER supported the Amendment for the adjournment of the debate. The hon. and learned Member for Stroud (Mr. Winterbotham) had propounded a most extraordinary doctrine

—namely, that the waste lands of the country were to be reserved for the enjoyment of tourists, or rather gentlemen excursionists, rather than for those who had a pecuniary interest in them. The whole matter might become a question of compensation, and if the Malvern Hills and similar lands were to be reserved for the public it might, perhaps, be worth consideration whether a demand in respect of them might not be made upon the Consolidated Fund.

MR. LOCKE said, he thought these commons ought not to be treated as if the lords of the manor and the other persons possessing particular rights in them were the only interested parties, as it should be borne in mind that the public in general had a right to pass over them. He objected to the Bill being referred to a Select Committee, thinking it would be better to consider its provisions in the ordinary way in Committee of the Whole House.

MR. BRUCE said, he would not resist the Motion for adjournment.

Debate *adjourned* till *Monday* next.

ENDOWED SCHOOLS ACT (1869) AMENDMENT BILL.

On Motion of Sir JOHN LUBBOCK, Bill to amend the Endowed Schools Act, 1869, *ordered* to be brought in by Sir JOHN LUBBOCK, Lord EDMOND FITZMAURICE, Mr. THOMAS HUGHES, and Mr. RATHBONE.

Bill *presented*, and read the first time. [Bill 55.]

STEAM BOILERS INSPECTION BILL.

On Motion of Mr. H. B. SHERIDAN, Bill to provide for the Periodical Inspection of Steam Boilers not marine, *ordered* to be brought in by Mr. H. B. SHERIDAN and Mr. GOURLEY.

Bill *presented*, and read the first time. [Bill 56.]

DIPLOMATIC AND CONSULAR SERVICES.

Select Committee *appointed*, "to inquire into the constitution of the Diplomatic and Consular Services and their maintenance on the efficient footing required by the political and commercial interests of the country."—(*Mr. Bouverie.*)

And, on February 27, Committee *nominated* as follows:—Mr. BOUVERIE, Mr. RYLANDS, Viscount ENFIELD, Mr. WILLIAM HENRY GLADSTONE, Mr. OTWAY, Sir HENRY LYTTON BULWER, Sir CHARLES DILKE, Mr. KINNAIRD, Mr. HOLMS, Mr. WILLIAM CARTWRIGHT, Mr. ARTHUR RUSSELL, Mr. WHITWELL, Mr. SCLATER-BOOTH, Mr. STOPFORD-SACKVILLE, Mr. EASTWICK, Mr. BARING, Mr. WILLIAM LOWTHER, Mr. CAMERON, Mr. FREDERICK STANLEY, Mr. BAILLIE COCHRANE, Viscount BARRINGTON, and Mr. FREDERICK WALPOLE:—Power to send for persons, papers, and records; Seven to be the quorum.

House adjourned at half after Twelve o'clock.

Mr. J. Lowther

HOUSE OF LORDS,

Friday, 24th February, 1871.

MINUTES.]—SELECT COMMITTEE—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, *appointed* and *nominated;* Private Bills, *appointed* and *nominated.*

PUBLIC BILLS— *Committee—Report*—Provisional Order Bills (Committees)* (25).

Third Reading—Princess Louise's Annuity* (20); West African Settlements* (1); Juries Act (1870) Amendment* (21), and *passed.*

OFFICE OF THE CLERK OF THE PARLIAMENTS AND OFFICE OF THE GENTLEMAN USHER OF THE BLACK ROD.

Select Committee on, appointed: The Lords following were named of the Committee:

Ld. Chancellor
Ld. President
Ld. Privy Seal
D. Richmond
M. Lansdowne
M. Salisbury
M. Bath
E. Devon
E. Tankerville
E. Stanhope
E. Carnarvon
E. Malmesbury
E. Granville
Ld. Chamberlain
V. Hawarden
V. Eversley
Ld. Steward
L. Colville of Culross
L. Redesdale
L. Colchester
L. Skelmersdale
L. Cairns

PRIVATE BILLS.

Standing Order Committee on, appointed: The Lords following, with the Chairman of Committees, were named of the Committee:

Ld. President
Ld. Privy Seal
D. Somerset
M. Winchester
M. Lansdowne
M. Bath
M. Ailesbury
M. Normanby
E. Devon
E. Airlie
E. Hardwicke
E. Carnarvon
E. Romney
E. Chichester
E. Powis
E. Verulam
E. Morley
E. Stradbroke
E. Amherst
Ld. Chamberlain
V. Hawarden
V. Eversley
Ld. Steward
L. Camoys
L. Saye and Sele
L. Colville of Culross
L. Sondes
L. Digby
L. Sheffield
L. Colchester
L. Silchester
L. De Tabley
L. Skelmersdale
L. Portman
L. Belper
L. Ebury
L. Churston
L. Egerton
L. Hylton
L. Penrhyn

House adjourned at a quarter past Five o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 24th February, 1871.

MINUTES.]—NEW WRIT ISSUED—*For* Monmouth County, *v.* Colonel Poulett Somerset, C.B., Chiltern Hundreds.

NEW MEMBER SWORN—Mitchell Henry, esquire, *for* Galway County.

SUPPLY—*considered in Committee*—Committee R.P.

METROPOLIS—ST. JAMES'S PARK.

QUESTION.

VISCOUNT ROYSTON asked the First Commissioner of Works, Whether it is his intention, this Session, to open the communication for the public between Marlborough House Gate and Storey's Gate, Birdcage Walk, by the east end of St. James's Park?

MR. AYRTON, in reply, said, when the question as to opening a communication between Marlborough House and Storey's Gate by the eastern side of St. James's Park had last been put to him, he stated that no change would be made, unless it could be shown that the change was absolutely necessary to enable hon. Members to obtain access to the House. But, as he had heard no suggestion to that effect, no occasion had arisen for bringing the subject under the notice of the Government.

METROPOLITAN BOARD.

QUESTION.

MR. LOCKE asked the Secretary of State for the Home Department, Whether he is aware of the fact that the measure of last Session increasing the maximum borrowing powers of the Metropolitan Board (under the Loans Act of 1869) was introduced into a Public Bill of the Government, and that the three Bills introduced this year for further extending such borrowing powers are Private Bills promoted by the said Board; and, whether the Government, having intimated their intention to introduce a Bill to amend the said Loans Act of 1869, purpose to allow the Private Bills to go to Committee before the introduction of the Public Bill, or defer the Private Bills until the House has the Public Measure before it?

MR. BRUCE said, in reply, that the hon. Gentleman had misapprehended the answer that he gave him the other day on that subject. He had not intimated the intention of the Government to introduce a Bill to amend the Loans Act, 1869. What he had stated was that the Metropolitan Board had prepared a Bill, which they were about to submit to the Government; but that it had not yet been so submitted to the Government. The object of that Bill, as he understood, was to explain and amend the Act of 1869, and not in any way to extend their borrowing powers, or their powers of consolidation. As to the three Bills now before Parliament, to which the hon. Gentleman referred, it was not the intention of the Government to interfere with their progress; but he thought the Notice of Motion given that afternoon with regard to those Bills by the hon. Member for Chippenham (Mr. Goldney), was one well worthy of consideration.

ARMY—PROMOTION OF COLONELS.

QUESTION.

SIR HENRY HOARE asked the Secretary of State for War, If it is intended after the abolition of Purchase, to continue to mulct each Colonel on his promotion to the rank of Major General in the regulation value of his commission, which would be equivalent to selling the rank of Major General at the price of £4,500?

MR. CARDWELL: Sir, by the existing regulations, colonels succeeding to the rank of major general, cannot sell their regimental commissions. It is not intended to recognize any new claims to sell commissions, but simply to enable those who, under existing regulations, have the right to sell out of the service, to realize the value of their commissions on their retirement from the Army.

ARMY—WIDOWS OF OFFICERS OF THE ARMY.—QUESTION.

COLONEL C. H. LINDSAY asked the Secretary of State for War, Whether, in the event of Purchase in the Army being abolished, the widow, children, or next of kin of an officer, who is either dangerously ill or who has died before he has been repaid the customary price of his commission, will receive the money from the State to which that officer would have been entitled if he had lived; and, whether, in the case of an officer being killed in action or on duty, or dying of his wounds, before he has been repaid the customary price of his commission, his widow or children, or next of kin, as the case may be, will receive the money to which he would have been entitled had he lived?

Mr. CARDWELL: Sir, the widow, children, or next of kin referred to in the first part of the Question of the hon. and gallant Gentleman do not receive the purchase money, according to the purchase system, and, therefore, will not be entitled to compensation on the abolition of the system. As regards officers killed in action, the rule expressed in the Warrant G 1,069 will be strictly followed.

DANGEROUS MANUFACTURES.

QUESTION.

Mr. BROGDEN asked the Secretary of State for the Home Department, Whether he has issued or intends to issue any general instructions for the guidance of Justices in granting licences for places for the manufacture of articles of an explosive nature; and whether he has appointed or intends to appoint inspectors for such workshops or places?

Mr. BRUCE said, in reply, that he had directed a very experienced officer some time ago to inquire into the practices of manufactories of explosive materials, and had obtained from him a very valuable Report; but, before any legislative action on the subject was taken, it was desirable that those inquiries should be pursued further. He had directed an analysis of the present Acts, and certain regulations now adopted at the Government factories to prevent danger, to be prepared and forwarded to the local authorities wherever those manufactories were known to exist, with a request that they should be issued to their managers. He had no power at present to appoint special Inspectors for those works; but he would require the Factory Inspectors to see that the provisions of the Act now in force were carried out, and also to suggest such additional precautions as, although not provided by the Act, were really desirable for the security of persons engaged in those establishments.

Colonel C. H. Lindsay

METROPOLIS—NATURAL HISTORY MUSEUM, SOUTH KENSINGTON.

QUESTION.

Mr. CAVENDISH BENTINCK asked the First Commissioner of Works, Whether Her Majesty's Government have approved any design for the exterior architectural elevation of the proposed Natural History Museum at South Kensington; whether the approved design is a modification of that by the late Captain Fowke which was selected after the competition instituted by the Right honourable Member for South Hants when First Commissioner of Works, and which Mr. Waterhouse was appointed to execute; whether the approved design is in architectural harmony with the adjacent new buildings of the South Kensington Museum; and, whether he will, as early as possible, exhibit drawings and a model of the approved design within the precincts of this House, for the inspection of Members?

Mr. AYRTON, in reply, said, considerable progress had been made in the preparation of the plans and designs for the New Museum of Natural History proposed to be erected at South Kensington; but it would be some time before they were perfected. Until that was done it would, of course, be impossible to exhibit them, nor had they at present received the sanction of the Government.

ARMY REGULATION BILL.

QUESTION.

Mr. RAIKES asked the Secretary of State for War, Whether he intends, before proceeding with the Second Reading of the Army Regulation Bill, to lay upon the Table of the House the new Regulations regarding promotion and retirement which are to take effect after the abolition of purchase?

Mr. CARDWELL: Sir, I am not yet in a position to promise how soon I can lay any such Paper on the Table, but I will do so as soon as I am able.

Colonel ANSON asked the Secretary of State for War, Whether it would be possible to divide the Army Regulation Bill into two separate Bills, one dealing with purchase and the mode of its abolition, the other with the remaining objects of the Bill; and, whether there is any objection to Officers of the Army communicating with Members of Parliament and criticizing the Bill on points affecting their pecuniary interests and future prospects in their profession?

Mr. CARDWELL: I think, Sir, the Bill can be much more conveniently considered as a whole. My hon. and gallant Friend is himself a distinguished officer, and I trust he will give no countenance to anything which would prejudice the good order and military discipline of the service. It is quite possible for any officer to communicate with a Member of this House on the subject of the Bill without incurring the reproach of being party to such a breach of discipline.

Major DICKSON asked the Secretary of State for War, If he has prohibited the promotion by sale in succession in regiments where there are supernumerary Officers, and whether such regulation is not contrary to all precedent and obstructive to promotion in those regiments?

Mr. CARDWELL: Sir, I have not prohibited the sales in question, and everything which has been done has been in strict accordance with the practice pursued when the former reductions were made in 1866. The absorption has always been in the junior rank, in which there was a supernumerary.

ALLEGED CONGRATULATORY MESSAGES TO THE CROWN PRINCE OF GERMANY.—QUESTION.

Sir HENRY HOARE asked the Under Secretary of State for Foreign Affairs, Whether the statement in the Daily Telegraph is correct—viz., That Captain Hozier has been charged with messages of congratulation from Her Majesty, the Prince of Wales, and the Duke of Cambridge to the Crown Prince of Germany upon the successes won by his Army?

Viscount ENFIELD: In the temporary and unavoidable absence of the First Lord of the Treasury, I must ask the hon. Baronet to defer his Question for a short time.

Sir HENRY HOARE: I beg to give Notice that I shall repeat my Question when the right hon. Gentleman appears in his place.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

CEYLON—ADAM'S BRIDGE.

OBSERVATIONS.

Sir JAMES ELPHINSTONE rose to call the attention of the House to the necessity of cutting through Adam's Bridge, and thereby obviating the necessity of circumnavigating the island of Ceylon. The subject was one of the greatest commercial importance, and it had been brought several times under the notice of the Indian Government, and in 1862 a Committee, over which he had the honour to preside, was appointed by the House, which recommended that the Indian Government should cut a passage between the island of Ramisseram and Point Tonitory, at the western end of Adam's Bridge, with the view of shortening the present route to and from the Bay of Bengal by 360 miles; but, notwithstanding that recommendation, from that time to the present, no steps had been taken in the matter. That the trade which would be benefited by the execution of the proposed works was not an unimportant one, was shown from the fact that, imperfect as the existing channel was, it had increased from 7,000 tons in 1829 to 200,000 in last year. Having twice visited the locality he was in a position to say that no difficulty whatever would have to be encountered in executing the proposed works. The opening of the Suez Canal had occasioned the Indian trade to be carried on almost entirely by steam vessels, and he believed that, in the course of two or three years, sailing vessels would be engaged in the traffic. This would, of course, greatly augment the utility of the proposed works. The Colonial Government at Ceylon had determined to make a large and deep-water harbour at Colombo, and if the proposed canal were cut there would be a saving of 250 miles between that port and Madras. The navigation of the Gulf of Manaar was the safest in the world, and it appeared from the annual Reports of the Indian Presidencies—which, from the clear and ample manner in which they treated all

Indian questions, he should be glad to see in the Library of that House—that in the course of last year 2,222 vessels passed through the existing channel through Adam's Bridge, of which, although they were navigated by natives, only two were lost. What he now proposed was that the Indian Government should cut a canal through a promontory in the Madras Presidency, for a distance of two miles and a half, the height of the land being 12 feet, at an estimated expense of £91,000, whereby a magnificent harbour, containing 16 miles of smooth and deep water would be obtained. Last year 117,000 bales of cotton were shipped at very great risk and expense at Tutacorin; whereas if the harbour to which he was referring was constructed ships could load at jetties along the shore, to which the cotton could be conveyed by means of a short branch line of railway. The Province of Madura, in the Madras Presidency, was extremely rich in cattle, sheep, and other produce; but the harbour at Point de Galle was one of the most incommodious that could be found on any coast. Canals were no new things in those parts. The Madras Presidency had already 89 miles of canals, one of nine miles in length having been recently constructed for the purpose of connecting Madras with the great rice-producing district of Pennaar; but the Indian Government would not incur the expense of making the two and a half miles of which he was speaking, because the opening of such a canal would be an Imperial question, and ought, in their opinion, to be defrayed out of the Imperial funds. As the making of the canal would save vessels making the voyage to Calcutta—720 miles of sailing—shipowners would be willing to pay a remunerative toll for the privilege of passing through the canal, and so the work would be self-supporting. His belief, indeed, was that it would pay the Indian Government most handsomely for the outlay. He desired further to say a few words in regard to another question connected with maritime matters on the coast of India. The hon. Gentleman the Under Secretary for India in addressing his constituents two or three years ago, took credit for having 40 lighthouses on the coast of India. But the coasts of India extended from the Persian boundary at Beloochistan to the limits of the kingdom of Siam at Tenasserim, a distance of 4,000 miles, making about one lighthouse to every 100 miles of coast; but, to his own knowledge, there were 14 points between Bombay and Cape Comorin where lighthouses were so much wanted that ships had to make much longer passages, and to run far greater risks, than would be the case if the shore was properly lighted. Having sailed along 1,200 miles of the coast of India in the course of last year, he could say that there was no civilized country in the world worse off for necessary coast light and harbour accommodation. If the channel he had alluded to had been in the hands of M. de Lesseps, he would have done in nine months what the Government of India had taken as many years to accomplish. By means of the dredges used by M. de Lesseps on the Suez Canal, the great rivers of India might be rendered navigable and useful for the purpose of carrying the inland produce to the coast for shipment during the whole year, instead of during a part of it only, as was the case at present; while the mouths of many of them might easily be converted into good harbours by the appliance of those scientific means which were so well understood in this country. But the science of constructing harbours was so little understood in India that there were not to be found on the whole continent harbour works of equal magnitude with those which had been constructed by private enterprize at Grimsby and many other places on our coast. To sum up his object in bringing this question forward, it was to save the mercantile marine of Great Britain from the expense of 720 miles more of sailing than was necessary in making the voyage to Calcutta, and from the risk of sailing round one of the most stormy and disagreeable promontories in the world.

Mr. J. B. SMITH said, no one could doubt the importance of the opening of Adam's Bridge advocated by the hon. and gallant Member. The object of saving a dangerous voyage of 700 miles in going to or from Calcutta was so great that the Indian Government could not, now that the Suez Canal was opened, longer avoid the necessity of looking into it. A proper survey and estimate should be at once obtained, and whether made by the Indian or by the English Government, such tolls might be levied on ships passing through the canal as in a few years would be sufficient to pay the cost, after which a very small toll would be all that would be required to keep it in repair.

MR. EASTWICK said, he was surprised that so little had been done by the Government to carry out the recommendations of the Committee of 1862 in reference to this among other Indian questions. He could not explain to himself why it was that the Government had failed to undertake a work, the expense of which was so small, and the advantages so great and certain. One of the great advantages of carrying out the recommendations of the hon. Baronet was that it would encourage the coasting trade; it would also enable the mariner to avoid a circuitous route, and a most dangerous place to touch at, Point de Galle, often attended with loss of life. But the chief advantage of all was the securing a good harbour. Indeed, having been himself nearly lost in the passage going from Calcutta to Madras, he could fully appreciate the advantage of a good harbour on that coast. There was this further Imperial advantage—that the construction of the new harbour would be found of almost incalculable advantage in case of war breaking out in that part of the Queen's dominions.

COLONEL SYKES said, he had no doubt of the advantages of the proposed work. It could be made, and it would save the dangers and loss of money and time in making the voyage round the island of Ceylon. The East India Company had annually, for many years, devoted a sum of money to deepening the channel; but owing to the difficulty of excavating the rock under water, the progress had been comparatively slow and ineffective; the rocky barrier, however, could be removed by the employment of diving bells and competent excavators.

MR. GRANT DUFF said, he did not doubt the advantage of having a deep-water channel all through the strait between Ceylon and the coast of India. Such a channel would add considerably to the commercial facilities of the world. But admitting, for the sake of argument, that such a channel could be made, who was to make it? The Government of Ceylon had not hitherto considered that its subjects were sufficiently interested in the matter to expend any very considerable sum of money in carrying into effect any such proposal as that which had been advanced by the hon. Baronet. Was it, then, to be the Imperial Government? The Imperial Government refused to do anything of the kind. The Admiralty said that ships coming from the Red Sea would, no doubt, be very glad to save some hundred miles by using a deep-water channel through Palk Straits, if one could be made; but they would think twice before paying the toll which it would be necessary to exact. As for ships of war, they would continue to go round the outside of Ceylon, and touch, as they have been long accustomed to do, at Trincomalee. Was it, then, India that must make the channel? Well, but India was making it to the best of her ability. For 42 years the Indian authorities had been paying considerable sums for improving the water way, and a large amount of Indian shipping now went through what was known as the Paumben Channel. If Government were now to alter its plans and adopt the new channel proposed by the hon. Baronet, the whole of the money that had been spent in improving the Paumben Channel would be thrown away. He (Mr. Grant Duff) had been arguing on the assumption that what the hon. Baronet proposed was not impossible; but the information laid before him by persons acquainted with those seas, and familiar with the soundings, amounted to this—that the Paumben Channel had been greatly improved, and would be still further improved; but that, when all had been done that could be done, neither it nor any of the other channels which had been proposed could be made available for large ships, the water being very shallow for a long way, both in the Gulf of Manaar and on the other side of Adam's Bridge, so that both the north and south entrances of the proposed channels would be unapproachable by large vessels, unless an expenditure altogether disproportionate to the object to be attained was incurred. Passing from that subject to the much larger question to which the hon. Baronet had referred—the question of lighthouses and other maritime improvements on the Indian coast—he (Mr. Grant Duff) was very far from denying that there was an immense deal to do on the Indian coast; but when the hon. Baronet compared the harbour works of India with the harbour works of this country, he should remember the very different amount of capital that was available for such purposes in England and in India. He could not give the hon. Baronet much hope of anything being done for the particular project which he had recommended for improving the water way between Ceylon and the mainland; but he could assure him that the Indian Government was quite alive to the importance of improving harbours and creating more lighthouses around the shores of India.

TREATY OF PARIS (1856)—DECLARATION OF MR. ODO RUSSELL.—QUESTION.

OBSERVATIONS.

MR. DISRAELI, in rising to call attention to the provisions of the Treaty of Paris (1856) as to the Black Sea, with reference to the statement on that subject lately made by the Prime Minister, said: Sir, in the remarks—the few remarks, and the fewer inquiries—I am about to make respecting the Treaty of Paris of 1856, it is not my intention, or my wish, to enter into any discussion as to the great principles of policy involved in that subject. A more important theme could not engage, in my opinion, the attention of Parliament; and on a right appreciation of all the circumstances connected with it I would venture to say that the future power of this country greatly depends—and, more than that, the fortunes of no inconsiderable part of the globe. But a subject of that kind is not to be treated in a casual and desultory manner. An hon. Member has already given Notice of his intention to bring the whole question before the House, and I have no doubt that the House will then enter into the discussion with that interest and attention which the gravity of the question requires. The remarks that I am about to make are rather preparatory to a discussion of the matter. They will divest the theme of some controversial details, which, if not now treated, would only embarrass that greater discussion of policy which is involved in the Notice that has been given. Among other points which I should like to decide to-night would be to ascertain, for example, the avowed object of the Conference that is now sitting in London. That subject seems involved in an atmosphere of ambiguity. The reasons which have been given by persons in authority for that Conference appear to be perplexed and, in a certain degree, contradictory. The whole matter seems to be mixed up with so much mysterious inconsistency, that I thought no time should be lost in order that the House of Commons should more precisely and accurately ascertain the state of affairs with respect to it. I therefore took the earliest opportunity I could of giving Notice on that subject last Friday; but I was not so fortunate as to be able to bring the matter before the consideration of the House.

I had occasion to advert to the subject of the Treaty of Paris of 1856 in some remarks I made on the first night of this Session, on the meeting of the House. They were necessarily of an imperfect character, and the view from which I then took, it was not possible for me to enter into any detail with respect to that particular Treaty. I had one object, and only one object, in making those remarks on the first night of our meeting. I thought that, considering the great events—almost unprecedented in importance—which had occurred in the interval since the Prorogation, it was not inexpedient to draw the attention of the House to their great consequences. I wanted to impress upon the House that in the interval, in consequence of those events, there had been a great revolution in all our diplomatic relations—that all the principles and traditions with respect to external affairs had become obsolete—that the balance of power in Europe was destroyed—that in consequence of that balance of power being destroyed there had been a repudiation of treaties by several States, and that of all existing countries the one which would most suffer by any diminution of diplomatic morality and any violation of public law would be our own. That was the object I had in making those remarks, and as they necessarily extended over a variety of instances, it was not possible for me to dwell in any minute detail upon any particular treaty. Nevertheless, with regard to the Treaty of 1856, I did venture to make more than one observation as to its character. I said distinctly, with regard to that Treaty, that Russia, in repudiating the conditions of the Treaty which referred to the neutral character of the Black Sea, had, in fact, repudiated the very gist of the whole subject—the essence of the Treaty; and that, in fact, that was the question for which we had struggled and made great sacrifices, and endured those sufferings which never can be forgotten. Sir, I did not think it necessary to enter into any demonstration of such a position, even if I had the opportunity. I knew well that I was speaking to a House of Commons, of which even now a majority of the Members were Members of Parliament during the Crimean War, and were perfectly acquainted with all the circumstances which preceded, accompanied, and terminated that great struggle. The House, therefore, I assumed, was perfectly aware that after that war had been waged one whole year, Russia intimated her desire to come to some understanding with her opponents. The Government of Austria in 1855—the Government which, when I described as neutral, the right hon. Gentleman disputed the accuracy of that definition, but which I find mentioned in official documents of 1855 as a Government friendly to both parties, to the Allies and to Russia—the Government of Austria interfered with a view to bring about a pacification. I will treat the circumstances with extreme brevity; but it is necessary that I should place them clearly before the House. After some communications it was ascertained that peace might probably be successfully negotiated on four points—those celebrated Four Points which hon. Gentlemen may still recollect. The first point referred to the government of the Principalities. The second to the free navigation of the Danube. The third point was that some means were to be invented for terminating the naval supremacy of Russia in the Black Sea. The fourth point referred to the future protection of the Christian subjects of the Porte. A Conference was held at Vienna—Russia having intimated that she was prepared to negotiate on these four points—that is to say, having admitted the principle which these four points embodied. The result of the negotiations was shortly this—The first two points, as framed by the Allies, were, after discussion, admitted by Russia. The fourth point, which referred to the protection of the Christian subjects of the Porte, was never brought under formal discussion at the Conference; but Russia privately intimated that she would accede to that fourth proposition, and so no difficulty arose in that case. But with regard to the third point, when the Conference had to decide upon the means by which the naval supremacy of Russia was to be terminated in the Black Sea, great difficulties arose. It appears that Russia having admitted the principle of the third point, the Allies, with great courtesy, and I think wisdom, suggested that Russia should herself propose the means by which that result should be attained. But, after waiting for instructions from St. Petersburg, the Russian negotiators declined to do that; and, therefore, the proposition of the Allies for establishing the neutral character of the Black Sea was brought forward, and that proposition, after considerable delay, and after waiting again for instructions from St. Petersburg, was utterly rejected by Russia. The state of affairs, then, was this—Russia had consented formally to the two first propositions, and privately to the fourth. The government of the Principalities, the free navigation of the Danube, the due protection of the Christian subjects of the Porte not by one Power, but by all the Powers—these points were all conceded; and the point upon which the negotiations for peace were broken was the neutral character of the Black Sea. A great responsibility, therefore, rested upon the negotiators of the Allies, and especially upon the English Government, which took so eminent a lead in these negotiations. Was the war to be continued? Was immense treasure to be further expended, and great sacrifices of human life to be incurred for this unsettled point—the neutralization of the Black Sea? It was an awful responsibility, no doubt, to decide on this point; but responsibility in a free State is not, or should not be, a source of annoyance to individuals, but rather of honourable pride; and it would be well for the House to remember, so far as this country is concerned, who were the statesmen upon whom this great responsibility peculiarly devolved. The Prime Minister of this country then was Lord Palmerston; who, however some of his last feats of foreign policy may be questioned, must be admitted by all to be a man who had a most vigorous perception of what were the interests and duties of this country, and who at that time was unquestionably in the full exercise of his powers, and with no apparent diminution of that decision and that spirit with which he had always conducted our foreign affairs. The Secretary of State for Foreign Affairs was that distinguished nobleman whom the right hon. Gentleman (Mr. Gladstone) invited more than two years ago to assist him by his experience—Lord Clarendon. The negotiator who represented this country at Vienna was a nobleman who was a Member of this House for nearly half a century—who has the largest experience of public affairs of any individual of our time, who has occupied every office, from Paymaster of the Forces to President of the Council, and who had been for seven years Prime Minister of England — Earl Russell. These were the men upon whom, so far as this country was concerned, peculiarly devolved the responsibility of deciding whether, under the circumstances, the war should be pursued. They did not hesitate, in order to obtain the neutrality of the Black Sea, as it is expressed in the Treaty of Paris negotiated the following year, to recommend their Sovereign to prosecute the war, and not to cease until the Allies had effected a settlement similar to that which Russia had rejected. Well, the war continued another year:—and the House and the country have never forgotten the circumstances—great glory and honour to the Allies and to Russia also, much exhibition of heroic conduct on both sides, and on both sides, no doubt, unprecedented suffering. In the course of another year Russia was exhausted, and the Treaty of Paris was negotiated. And what was that Treaty? Russia was exhausted; but the Allies, victorious and triumphant, though they had incurred immensely increased expenditure, and endured aggravated sacrifices of life, did not demand from Russia the Crimea, which they might have restored to Turkey. They did not demand any indemnity for the expenses of the war. All the points in that Treaty, except the neutrality of the Black Sea, had been offered by Russia at Vienna in the preceding year, and therefore had been obtained by our negotiators in the first instance; but as a full satisfaction, as a settlement that completely justified the great exertions and sacrifices that had been incurred, as a settlement which they believed would secure the peace of the world so far as that portion of it was concerned, they insisted that the neutrality of the Black Sea should be accomplished.

Now, Sir, having touched—I hope accurately—upon these important facts, and recalled them I trust not without convenience as regards future discussion, I would venture to ask was I not justified in my statement the first night of the Session that the neutrality of the Black Sea was the very basis and gist of the Peace of Paris of 1856—that it was the main object of the war, the great result for the accomplishment of which this country and France and their Allies made the vast sacrifices of life and treasure now so freely acknowledged? That being the case, I asked myself, had we any reason to believe that the policy of England had ever changed? I believed myself it had not changed—I believe that it cannot change. But when I spoke the first night of the Session we were not in possession of Papers which have since been placed on the Table. Now, what do these Papers show with reference to this policy? We find in those Papers a despatch from the Queen's Ambassador at St. Petersburg; and what does he say? Sir Andrew Buchanan writes to the Secretary of State, Lord Granville, and mentions that he had long foreseen that Russia would attempt a revision of the Treaty of 1856, and that he had frequently expressed that opinion to his Lordship and to the late Earl of Clarendon. From these Papers it appears that what Sir Andrew Buchanan had long foreseen did at last occur, and though he had for some time avoided touching on the subject with the Russian Minister, he is at last obliged to encounter the disclosure which he had so long dreaded. And what were the expressions which were used on that occasion by Sir Andrew Buchanan to Prince Gortchakoff? He stated to the Russian Minister that he had the most serious apprehensions as to the light in which the report would be viewed by Her Majesty's Government, and that he should expect to receive orders immediately to ask for his passports and to quit St. Petersburg. Now, I ask the House to bear in mind that Sir Andrew Buchanan is one of the most experienced members of the diplomatic service. He has been engaged to my knowledge for 40 years in posts of important trust; for I recollect that when I was in Constantinople in 1830 he was, if I mistake not, Secretary to the Embassy; and he is a man of ability and sagacity, as well as of discretion. Can it be doubted, then, that, having frequently expressed to Lord Granville and Lord Clarendon his apprehension of the danger which he foresaw, those distinguished statesmen had furnished him with instructions as to the tone he should adopt when the disclosure was made, and the language which he should use? And that the language used by Sir Andrew Buchanan was language strictly in accordance with the instructions which he received, no one who knows him can for a moment doubt. That is a proof, therefore, in these Papers, that the policy of England, with reference to this question, had not undergone a change. But they furnish us, on that head, with another proof. Her Majesty's Ministers, in the difficult position in which they were placed through the repudiation by Russia of the condition of the Treaty of Paris which refers to the Black Sea, took a step which, on this occasion, I will not criticize — I reserve any such criticism for that larger debate which is impending—but I may now at least observe that it seems to me to be one of the most remarkable steps ever taken by a Government. They resolved on sending a special envoy to Count Bismarck. Now, I am not quarrelling with the Government, because, in a position of great difficulty, they decided on sending a special envoy to what may be called the Prussian Court. I can easily conceive adequate reasons why Her Majesty's Ambassador at Berlin should not leave the seat of his labours. Nor am I here to quarrel with the selection made by the Government for the post. It is said that one of the tests of competency to fill the office of Prime Minister is the capacity for fixing on the right man for any public appointment, and I do not challenge for a moment the propriety of selecting Mr. Odo Russell in this particular instance. He may not have the experience of Sir Andrew Buchanan, and for a reason with which I am sure he will find no fault — because he is a younger man. But Mr. Odo Russell has, nevertheless, had great experience in diplomacy. He has had questions entrusted to him at a post where they were both critical and delicate; and, so far as I am acquainted with his conduct, has, upon all occasions, proved himself to be a man to whose judgment and knowledge might be safely committed the interests of his country. Mr. Odo Russell, moreover, was not abroad — and that was an additional reason why he should be selected as a special envoy to Versailles. He had been re-called from his diplomatic appointment, and promoted to a post in the Foreign Office of the highest trust and importance. He was the right-hand man of the Secretary for Foreign Affairs, and was in daily communication with his chief. Now, hon. Gentlemen must see at once of how much consequence it is, when you have a special envoy who is to execute, under extraordinay circumstances, business of the most difficult and delicate kind, he should be a man with whom the Minister is in personal connection, so that he should not have to depend merely on written instructions prepared for the special occasion; but an envoy who—fresh from frequent intercourse with the Secretary of State and the head of the Government—should set out upon his mission thoroughly impressed and impregnated with their policy and their views, and thoroughly acquainted with their resources to meet all contingencies. Under such circumstances, we could hope and expect that its interests would be faithfully represented and attended to. Now, what happened in the case of Mr. Odo Russell, our special envoy under such favourable circumstances, and personally so well qualified as he was for the post? He left England late in November, and it was some time before he succeeded in arriving at Versailles, owing to the difficulties of travelling through the seat of war. He, however, arrived at Versailles at last, and lost no time in placing himself in communication with Count Bismarck. There is, in these Papers, an interesting narrative of what occurred on that memorable occasion. Mr. Odo Russell was twice closeted with Count Bismarck in the course of the day. He saw him in the morning, and in consequence of what then passed Count Bismarck communicated with St. Petersburg. He saw him again at 10 o'clock in the evening, and was closeted with him until midnight. Now, Mr. Odo

Russell having, after much trouble and pains, obtained the interview which he sought for, did, I have no doubt, full justice to his mission, and spoke with that adroitness and judgment which became the representative of the interests of this country, instructed by the highest authorities of the State. Well, what did Mr. Odo Russell say to Count Bismarck? He pressed for a settlement of a question which, as he informs us, he had frankly proved to Count Bismarck was of a nature, in its present state, to compel us, with or without allies, to go to war with Russia. I ask the House again, was I not justified in the statement which I made on the first night of the Session, that the question of the Black Sea was the real question which was involved in the Treaty of Paris? Have I not proved to the House that this was the view of eminent statesmen like Lord Palmerston, Lord Clarendon, and Lord Russell, who were engaged in the negotiations at Paris and Vienna? And have we not *primâ facie* evidence that on the 22nd of November last this was the confirmed policy of the English Cabinet—the policy of such men as Lord Clarendon and Lord Granville? I was, I must confess, astonished to learn, having these Papers before us, from the highest authority, that Mr. Odo Russell made the representation to which I have just referred to Count Bismarck without the sanction of the Government. I have heard many remarkable things this Session, which, although it has but just commenced, promises to be rife with interest. We heard last night, for example, that on Monday next a Secret Committee is to be moved for, in order to discover for the Government how to govern regenerated Ireland. How to govern regenerated Ireland! when we thought that we had employed the last two Sessions in perfecting that exalted and sublime legislation which was not only to cure the evils of the past, but which even anticipated the remedies for the future! It seems to me, I must confess, that our Irish legislation is somewhat like our Crimean Treaties, which assume a different character to that contemplated when they were originated. I heard also this Session—and I look upon it as one of the most remarkable things of which I have any recollection—that a functionary who sought to publish a correspondence connected with his Department, which he not only believed to be necessary to vindicate his character, but to be of the greatest interest to the country, received permission to do so, provided he altered the dates. [Mr. GLADSTONE: Hear, hear!] Yes; that was a thing that certainly surprised me, and I am glad to see that the right hon. Gentleman agrees with me at least on that point. Secret Committees and such frank permissions are certainly surprising things; but I cannot help regarding it as more surprising still that a special envoy should be selected at such a critical moment — himself admirably adapted, as nobody will deny, for the post, and with the immense advantage of being fresh from interviews with Ministers of State and of receiving in person instructions from his chief—and that he should be sent on one of the most trying occasions not only in the history of his own country, but of Europe, not further than Versailles, and should, the very first moment he encounters the great opponent with whom he had to deal, immediately take a course which his instructions did not justify. [Mr. GLADSTONE: I never said that.] The right hon. Gentleman will, perhaps, by-and-by notice the observations which I am making. I heard what fell from him on a former night, and I was certainly under the impression that—to use a phrase which, though vernacular, is perhaps scarcely fit to be employed within these walls—Mr. Odo Russell was "thrown over" by the right hon. Gentleman. If it be a mistake, I believe it is a mistake which was shared by both sides of the House. I understood the right hon. Gentleman distinctly to say, in answer to a distinct inquiry, that Mr. Odo Russell had no authority to make that representation. There is one observation I wish to make with regard to Mr. Odo Russell. For a special envoy to declare to a foreign Minister that, with or without allies, we were prepared to go to war for a particular object, is one of the most decided announcements ever made upon political affairs. Admit that he had no authority to make the declaration—an admission which is overwhelming in its incredibility—why was no despatch written by the Secretary of State to contradict the declaration? Why was no printed record made with the frankness becoming an English Government, so that the indiscretion of the special agent should not be concealed from us? Why do we not learn that, at the moment when Her

Majesty's Government heard of such an announcement, the special envoy was told by a flash of lightning that he had exceeded his authority? Sir, there is not a line—not a scrap—not a jot to this effect; and until the inquiry was made, and the answer given by the right hon. Gentleman, no one doubted for a moment, looking to the character of the official Papers, that the declaration was made by authority, and that Mr. Odo Russell was sent to Count Bismarck to make it.

I have now, Sir, placed before the House these remarks, the object of which is to show, first, that I was entirely justified in the description I gave of the condition relating to the neutrality of the Black Sea in the Treaty of Paris on the first night of the Session—that it was the cardinal point of British policy; that it was always so considered; that for it, and for it alone, the war was continued and the greatest sacrifices made. I think I have also shown, from the Papers furnished us by the Government, that until within a brief space—which we shall probably hear more about on another occasion—the Cabinet was faithful and firm to this policy, and that men of the vast experience of our Ambassador at the Court of St. Petersburg and the great ability of our special envoy at the Court of Versailles were instructed—and, I think, admirably instructed—how to treat such a violation of the Law of Nations and of public morality. And now, Sir, having, I hope, placed this matter fairly before the House, let me advert to the remarkable manner in which my observations upon that head were met by the right hon. Gentleman on the first night of the Session. I had endeavoured to recall to the recollection of the House the vital importance of the neutralization of the Black Sea. I did not enter into any proof of a policy which I believe was supported by the people of this country, and by the majority of the House, and upon which it appeared to me it was then far from necessary to enter into any controversy. I was content to confine myself to an opinion as to the vital importance of the neutralization of the Black Sea? What said the right hon. Gentleman? Lest I may be accused of inaccuracy, I avail myself of a memorandum containing, I believe, an accurate report of the statement made by the right hon. Gentleman. He entirely joined issue with me. As for the vital importance of the neutralization of the Black Sea, he said—"That was never, as far as I know, the view of the British Government." The right hon. Gentleman said—

> "In this House, in the year 1856, I declared my confident conviction that it was impossible to maintain the neutralization of the Black Sea. I do not speak from direct communication with Lord Clarendon; but I have been told since his death that he never attached value to that neutralization. Again, I do not speak from direct communication, but I have been told that Lord Palmerston always looked upon the neutralization as an arrangement which might be maintained and held together for a limited number of years, but which, from its character, it was impossible to maintain as a permanent condition for a great settlement of Europe."

Now, Sir, upon these startling observations of the right hon. Gentleman I will make one or two remarks. And, first, when the right hon. Gentleman says the vital importance of the neutralization of the Black Sea was never, as far as he knew, the view of the British Government, and that he had declared his confident conviction in 1856 that it was impossible to maintain it—I would observe that the right hon. Gentleman—unintentionally, of course—conveyed an erroneous impression to the House by allowing himself to mix up his own individual opinions with those of the British Government. [Mr. GLADSTONE: No; I do not admit it.] Does the right hon. Gentleman complain of the accuracy of the report? Of course, I shall take any explanation which the right hon. Gentleman has to offer, and if he said exactly the reverse of what is attributed to him, no one will congratulate the House and the country more sincerely than I shall. But, Sir, when the right hon. Gentleman talks of the views of the British Government and brings forward himself as an authority, allow me to inform the House—because some time has elapsed, and we fortunately have a good many young Members among us, and some old ones—that when the right hon. Gentleman made this speech against the importance of the neutralization of the Black Sea in 1856 he was not a Minister of the Crown, nor was he the Leader of the Opposition. The right hon. Gentleman was connected in this House with a minute coterie of distinguished men, who had no following in the country at the time. They were condemned by the country on account of their conduct with respect to this very question of the Black Sea and Turkish affairs generally. Rightly or wrongly—I will not enter into the question now—the country was convinced that the Crimean War was occasioned by the lukewarmness and the hesitation of this small body of distinguished men. But of these distinguished men the most unpopular in the country was the right hon. Gentleman; because, when war was inevitable, and was even declared by the Cabinet of Lord Aberdeen, the right hon. Gentleman at that time having the control of the finances, it became necessary that he should propose the Ways and Means for carrying on the war, and the country was of opinion that the proposals of the right hon. Gentleman were not adequate to the occasion, and were not such as the honour and the interests of England demanded. The people of England remembered a celebrated item moved by the right hon. Gentleman in Committee of Supply—namely, a Vote proposed by him, in a spirit of ironical finance, for the despatch of Her Majesty's Guards to Malta and back again. They never forgot and never forgave that item. They foresaw then, with an instinct of Englishmen which it is impossible to deceive, that we were about to prosecute a war in a spirit which must bring calamity and disaster upon the country. Such was the position of the right hon. Gentleman; and, therefore, the House must not be influenced by his statement of the views of the British Government at that time. He did not represent the British Government. He represented no party in this House and no party in this country. I come now to the statement of the right hon. Gentleman about Lord Clarendon and Lord Palmerston. It was a very responsible thing, I ventured to say, to advise the continuance of the war in 1855. But almost as responsible a thing, in my opinion, is it to impute to statesmen of great eminence, and now unfortunately departed, opinions not only which they did not hold, but which were contrary to their convictions, which contradicted their whole policy, and which would intimate that public men of the highest distinction who proposed a policy, in enforcing which the treasure of the country was expended without stint, and the most precious lives of the country were sacrificed, were laughing in their sleeves at the excitement of the nation. I would make one remark respecting those extraordinary quotations of the opinions of Lord Clarendon and Lord Palmerston as to the neutralization of the Black Sea. Nothing can be more inconvenient and injurious to the privileges of this House than such quotations by Ministers of the private opinions of their Colleagues—and especially if those Colleagues are deceased. Why, we are so punctilious on these matters that a Minister is not even permitted to quote from a despatch without laying it upon the Table! There would be an end to all freedom and force of discussion if it were in the power of a Minister to get up and say—"You have taken such and such a view of affairs, but your facts are wrong," and thus to carry away the House by some declaration of which we had no proof whatever. Everyone must feel that we cannot be too rigid in the application of our rules on such matters; and even if the right hon. Gentleman was convinced that these were the private opinions of Lord Clarendon and of Lord Palmerston, he was not justified in referring to the private conversations of Ministers who are since dead. I am not here to vindicate the honour either of Lord Clarendon or of Lord Palmerston. There are those in this House connected with Lord Clarendon by blood, and who, moreover, resemble him in his capacity of conducting public affairs. An eminent Relative of Lord Clarendon has a seat in this House, and upon him should devolve the duty of defending the noble Earl's memory from such misstatements. Nor am I here to vindicate the honour of Lord Palmerston; but I may make one observation with regard to that distinguished man, because it may throw some little light on these painful disclosures which have agitated and surprised so many persons. We have also had it stated in "another place" that Lord Palmerston made some light observation to a diplomatist who spoke to him on the subject of our policy with regard to the Black Sea. Now, everyone who knew Lord Palmerston well knew this of him—that with a smiling countenance he often evaded inconvenient discussions on serious affairs. Lord Palmerston was a man who, when most serious, availed himself very often of the weapon of banter, and not merely the diplomatist in question—and I do not seek to inquire who he is—but many diplomatists, if they would only acknowledge it, would confess that when they have wearied Lord Palmerston with their grave assiduity, or have attempted to pump Lord Palmerston with their practised adroitness, he has often unsheathed his glittering foil and has soon disarmed and disabled inconvenient opponents. Lord Palmerston was a master of banter and disliked discussion of grave matters when not in his Cabinet or in this House. But I cannot refrain from recording my solemn conviction that the policy of Lord Palmerston with respect to maintaining the neutrality of the Black Sea never wavered for a moment, and that nothing but securing that great condition of the Treaty of Paris would have reconciled him to the comparative leniency of the other terms.

Now, Sir, I hope I have vindicated myself from the charge that I was not authorized in the description which I gave the first night of the Session of the importance of the neutrality of the Black Sea; that I was not justified in saying that it was the cardinal principle of the settlement of 1856; that those were the opinions of Lord Palmerston, Lord Clarendon, and Lord Russell; that they broke up the negotiations at Vienna; and that the war was renewed, or rather continued, solely with the view to maintain that condition. I think I have shown that the policy then adopted by Her Majesty's Government was the policy not only of Lord Clarendon, but that it must also have been that of Lord Granville up to a very recent period. Now, Sir, I have only one observation to make upon the Conference. Why a Conference was called is to me a matter difficult to comprehend, and I hope we shall learn clearly to-night what its object is. I think myself that, under any circumstances, a Conference would have been a mistake. But if the Conference had been called to vindicate the honour and the rights of England and of Europe, I should have thought it, though a hazardous, at least a bold and loyal course. But why a Conference should be called—a Conference which Russia did not require—for Russia only really initiated an abstract outrage of public morality, and only theoretically violated a treaty, and, therefore, it was quite unnecessary to do anything, even if you felt you were not prepared to resist her when she put her policy into practice—I say why, under such circumstances, a Conference should be called merely to register the humiliation of our country passes my understanding. But there was one declaration made by the Secretary of State which may, perhaps, have some light thrown upon it by that consummate master of language who has several times contradicted me in the course of this speech, and who will very likely follow the same course when he rises on his legs. The declaration was made by a Secretary of State who was at one time ready to go to war with or without allies, but whose policy changes in a moment, and the policy being changed, a satisfactory and plausible reason is offered to the British people. The Conference is to be held, but on this understanding—there is to be no foregone conclusion on the subject. That statement was generally accepted. What was the weight and value of that condition I will not now attempt to ascertain; but, at any rate, it meant something. If it was not to influence events, still there was a semblance of dignity about it. And now, if the Conference was to be held without any foregone conclusion by any of the Powers upon the question of the neutrality of the Black Sea, I want to know how the right hon. Gentleman reconciles that position with the statement which he made the first night that Parliament met, in which he proved that there was a foregone conclusion—a foregone conclusion in the mind of the Prime Minister, and that, a foregone conclusion against the honour and interests of this country?

MR. GLADSTONE: Sir, in the remarks which the right hon. Gentleman so studiously announced as intended to be very few and very brief, his anxiety for brevity in the course of his hour's speech led him to refer to two subjects outside the circle of discussion. One of those was—and I am sorry to be compelled to follow the irregularity of the right hon. Gentleman in referring to it—a Notice given by my noble Friend near me (the Marquess of Hartington), that on Monday next he would move for an inquiry into a dangerous conspiracy existing in a certain spot in Ireland, and I should have thought that the right hon. Gentleman's regard not merely for the ordinary propriety of this House, but for the principles which govern public order—and which it is necessary to observe for the security of life and property—would have led him to refrain from an illusion intended to prejudice the Motion of my noble Friend near me on a subject of gravity so extreme. The right hon. Gentleman is the judge—I make my protest against that reference. The right hon. Gentleman then referred to a subject of much slighter moment, and condescended to taunt me with having told Sir Spencer Robinson that if his Minute were dated on the day after his resignation of the Lordship of the Admiralty it would remove all formal difficulty as to its production. Why does the right hon. Gentleman condescend and stoop to take up this paltry and contemptible accusation? ["Oh!"] Hon. Members opposite cry "Oh!" ["Hear, hear!"] I see the hon, Member for Stamford. [Sir JOHN HAY: Hear, hear.] Yes, very good. Well, if not contemptible, it is a most grave accusation, and I challenge the hon. and gallant Gentleman to put this accusation into words and make it the subject of a Motion. There is nothing I would desire better, as far as I myself am concerned; and if the House thinks fit that it should be discussed, by all means let it be brought to an issue. Sir, I now come to the main subject—which is a more important subject—of the right hon. Gentleman's remarks. The right hon. Gentleman has studiously confounded in the course of his speech matters which are entirely and absolutely disconnected. In the first place, he says I denied that the subject of the neutralization of the Black Sea was of vital importance in the Treaty of 1856. Sir, what I did was this—I challenged the statement of the right hon. Gentleman that it was not only of vital but of exclusive importance—and by exclusive importance I mean paramount and central, such as he has described it to night. Now, Sir, that I hold to be totally untrue. The great object of the negotiations, and the great object of the peace, was to put an end to that system of interference in the affairs of the Turkish Empire, grounded on real or alleged treaty rights, which enabled Russia at her will, through the medium of Turkey, to disturb the peace of Europe. Russia had those rights in a pacific form in the Principalities; she likewise had them, or was supposed to have them, with regard to the Christian subjects of the Porte; and it was the power of thus interfering between Turkey and her subjects which gave to Russia her standing ground in the Ottoman Empire; and it was at the total abolition of that system that the war and the negotiations were aimed. Therefore, when I spoke of the neutralization of the Black Sea, and objected to the extravagant statement of the right hon. Gentleman, this subject was totally overlooked and passed by, and this power of interference on the part of Russia in the internal affairs of the Ottoman Empire was treated as a matter of no account. I never denied that, even in my own opinion, and much more in the opinion of the British nation and Government, the matter was one of great importance at that time. "But," says the right hon. Gentleman, "it has been the policy of the British Government to treat this question of neutralization as a question which formed the whole pith and substance of the Treaty of 1856; and so it was until the 22nd of November; but on the 22nd of November we find, from the course that was taken, so different from what the language of Sir Andrew Buchanan led us to expect, and from the course taken with respect to Mr. Odo Russell, that the importance of neutralization was forgotten, the policy of the Government was reversed, and the honour of the country was compromised." The right hon. Gentleman—I have no doubt without any intention—has entirely misrepresented the sentiments of Sir Andrew Buchanan. He has given it to be understood that the alarm of Sir Andrew Buchanan, the pointed representations which he made to the Russian Government, and the apprehensions which he expressed that he would have to send for his passports, turned upon this—that there was a question as to the neutralization of the Black Sea. Sir Andrew Buchanan never used one of these words with respect to the question of the mere policy of the neutralization of the Black Sea. The language of Sir Andrew Buchanan had reference to the Note of Prince Gortchakoff; the intimations which Sir Andrew Buchanan threw out were intimations which left perfectly open the question of the neutralization of the Black Sea, and had exclusive reference to the Note of Prince Gortchakoff, involving the principle that a single Power, having been bound by its signature to a treaty, had a right, at its own option, to release itself from this obligation. And it is impossible to conceive a more gross misconstruction, a more absolute misapprehension, a more pointed misapplication than the right hon. Gentleman has made in his speech, founded upon my speech of a fortnight back, and carefully hatched during that fortnight. What is the page of the despatch? [Mr. DISRAELI: Page 45.] No; it is page 13. The right hon. Gentleman has misrepresented the meaning of Sir Andrew Buchanan. I did not think he would have been so consistent as to misstate even the page of the despatch. Sir Andrew Buchanan says—

> "I regret to say that I have reason to believe the Russian Government have decided to open the question of the Treaty of 1856 in a way which may prove embarrassing to Her Majesty's Government. I have long foreseen that a proposal on the part of Russia for the revision of the Treaty would not be long delayed, and I have frequently expressed this opinion to your Lordship and to the late Earl of Clarendon. I confess, however, that I was not prepared for the manner in which, if the report which has reached me be authentic, it is proposed to carry out this intention."—[*Correspondence*, No. 16.]

He then goes on to describe his expectations that despatches either had been, or would be immediately, forwarded to the great Courts of Europe, communicating to them that Russia would not acknowledge hereafter the obligations she had contracted under the Treaty of 1856. It was upon these expressions that Sir Andrew Buchanan founded his intimation that he expected he would have to send for his passports; and it is upon that passage that the right hon. Gentleman leads the House to believe that this intimation was founded upon the sense which we entertained of the value and importance of the neutralization of the Black Sea. So much for Sir Andrew Buchanan. I do not think we shall hear much more on that subject. ["Oh!"] We shall see. I now come to Mr. Odo Russell. And there, again, I must complain that the right hon. Gentleman made an uncandid and most inaccurate reference to my language. The question was put to me—I am speaking from memory of what occurred—the question was put to me, as I understood it, whether Mr. Odo Russell made a particular statement by the authority of Her Majesty's Government—that is, by the direct authority or instruction of Her Majesty's Government. I answered that I imputed no blame whatever to Mr. Odo Russell for the statement, but that he did not make it by the authority or instruction of the Government. And then the right hon. Gentleman comes down and says that I declared that the statement was not justified. I never said anything about its being justified; but the right hon. Gentleman chose a word insinuating a meaning that he did not think fit openly to express. I will now call the attention of the House to what Mr. Odo Russell says, and will point out that again the right hon. Gentleman has studiously employed the very same artifice. The language of Mr. Odo Russell has been handled in the same way as the language which Sir Andrew Buchanan used with reference not to the neutralization of the Black Sea, but exclusively to the Note of Prince Gortchakoff, and the principles which that Note asserted —twisted by the right hon. Gentleman into a reference merely to the neutralization of the Black Sea. Here are the words of Mr. Odo Russell. Now we have got to page 45—

> "The Chancellor authorized me to telegraph to London that if your Lordship consented he would willingly take the initiative"—

I beg the House to follow me closely—

> "of proposing a Conference for the purpose of endeavouring to find a pacific solution to a question which I had frankly proved to him was of a nature in its present state to compel us, with or without allies, to go to war with Russia."—[*Correspondence*, No. 76.]

I am bound to say in construing this sentence, and exercising the same liberty of opinion which every Gentleman who hears me is at liberty to use, that these words appear to me not to be the words of Mr. Odo Russell himself—this is not a vital point of the case — but I conceive that Mr. Odo Russell is reciting words which Count Bismarck had used. ["Oh!"] I will read them again, that hon. Gentlemen may see if I am right—

> "He authorized me to telegraph to London that if your Lordship consented he would willingly take the initiative of proposing a Conference for the purpose of endeavouring to find a pacific solution to a question which I had frankly proved to him was of a nature in its present state to compel us, with or without allies, to go to war with Russia."

That I understand to have been the language of Count Bismarck, repeated by Mr. Odo Russell. ["Oh!"] I should be glad if hon. Gentlemen had this book before them, in order that they might observe whether I am right or wrong. But about that I am comparatively indifferent—what I want to point out is that Mr. Odo Russell never conveyed upon any construction of these words—or that Count Bismarck, if the words were his, as I believe they were, never implied—that the question of the neutralization of the Black Sea was a matter which would compel us to go to war with or without allies. What becomes, then, of the pretended policy which, according to the right hon. Gentleman, remained fixed until the 22nd of November, and then dissolved like an airy vision? Whether the language were that of Mr. Odo Russell—which I do not think it was—or that of Count Bismarck, what was said was this—that the question was of a nature in its present state to compel us to go to war. What was "the present state" of the question? One in which a solemn State Paper was before us, emanating from the Russian Chancery, and in our opinion maintaining and asserting, on the part of Russia, a right to liberate herself from one or all of her treaty engagements; and that was the principle, and not the neutralization of the Black Sea, which Count Bismarck judged was one that would compel us, with or without allies, to go to war. Well, you may say, why did we not correct Count Bismarck? If Count Bismarck had spoken with regard to the neutralization of the Black Sea, there might have been some necessity for such a course; but, while he kept to the Note of Prince Gortchakoff, it would have been very wrong in us to give instructions for any such purpose to Mr. Odo Russell. We never said that the policy involved in the Note of Prince Gortchakoff was not a matter that might lead to difficulties between the two countries—even, possibly, eventuating in war. We never said that it would; but we never compromised our own liberty on the subject. And that, I say, was the wise and rational course to take, although it has laid us open to the ungenerous and torturing process of language practised by the right hon. Gentleman, who has endeavoured to show that we were speaking of neutralization when our words had reference to the "present state of the question," and the present state of the question alone—in which we had before us a Russian document that appeared to us — rightly or wrongly is not now the question—to assert, on the part of Russia, a right and intention to release herself, at her own mere will, from any treaty obligations whatsoever. I hope I have shown that these two great pillars of the proposition of the right hon. Gentleman with respect to the policy which we maintained up to the 22nd of November have entirely crumbled away. He has furnished no foundation whatever for the policy which he attributes to us. What our policy was with reference to neutralization I will now proceed to state, but a little more carefully, in combination with the retrospection of the right hon. Gentleman. The right hon. Gentleman has referred to the language which I used a fortnight ago; he has examined it at great length, and with the advantage of collateral lights thrown upon it by discussions reported to have occurred "elsewhere," which he has brought in aid of his own ingenuity. The right hon. Gentleman has anatomized the language which I used on that occasion. I will go over the points to which he has referred. The right hon. Gentleman has said that I misled the House by causing it to suppose that I was a Member of the Government in the year 1856. Now, it is not altogether pleasant to have imputed to oneself accusations which imply a degree of childishness and a degree of ignorance unworthy of the lowest boy in a National School. The right hon. Gentleman, having studied a report of my speech in the newspapers, thinks it worth his while to state that I implied to the House that I was a Member of the Government in 1856. Now, Sir, I refer confidently to what I did state, and I affirm that, in addition to the words reported in the newspaper, I used on the 9th of February preparatory words, carefully distinguishing between what referred to the Government and what referred to my own personal position. Before I went to the graver part of the case, I said that even as respected myself there was a personal difficulty—namely, that in 1856 I had objected to the neutralization of the Black Sea. Therefore, I do not require the obliging reminder of the right hon. Gentleman that I then had no following, that I was not in the Government, that I sat in an undistinguished post, and was the most unpopular man in the country. All I know is that I was trying to do my duty, and I do not care a pin whether I, or the right hon. Gentleman, or anybody else was the most unpopular man in the country. It may fairly be asked—"Why did you indulge in egotism—why did you quote your own insignificant words in 1856?" My reason was this—Although they were the words of a person who at that time had no official responsibility, yet they had been quoted and printed in St. Petersburg during the present year as words very convenient to be used by the Russian Government in its negotiations with the Government now in Office. That is my apology for having referred to myself. Then comes the question of my conduct as Chancellor of the Exchequer, and my insufficient proposal with regard to the Russian War of sending the Guards, or a certain number of men, to Malta and bringing them back again. Has the right hon. Gentleman looked at dates, and does he know whether that was done in the war or not? Not having the power of reference at the present moment, I cannot be certain; but, to the best of my recollection, it was a very early and preparatory measure taken by us, and had no connection with those operations into which the war subsequently developed. What is the nature of the charge made by the right hon. Gentleman? He seems to be so ill-acquainted with the relations of Cabinets in which he has often sat, that he thinks it is in the power of the Chancellor of the Exchequer of this country, after the country has entered into an European war, to limit its cost and fix its scale. Such a charge to be made by the right hon. Gentleman is perfectly absurd. Surely any man who has learnt his A B C in political matters must know that the Chancellor of the Exchequer, if he had the power of doing such a thing as that, would not be Chancellor of the Exchequer alone, but would absorb in himself the entire power of the Government, while the rest of the Cabinet would be reduced to mere ciphers. I am sorry to say that the Chancellor of the Exchequer in this country has not power enough when war breaks out. When a war breaks out in Germany, the old principle of parsimony and good thrift is not forgotten, and in the wars of Napoleon every franc which was spent had been as carefully considered as if it had formed part of a grant to the Louvre Gallery. In this country, however, the case is different, and from the moment war is contemplated, the Chancellor of the Exchequer becomes a cipher. His responsibility and his control, which are real in time of peace, are entirely absorbed, and the whole of his mind is directed towards providing Ways and Means for carrying out the plans framed by others, and in respect to which he can only give his opinion, like any other Member of the Cabinet. As regards war expenditure, I do not know whether it is to the interest of the right hon. Gentleman to provoke discussion on that subject, but if he chooses to return to it another night, I shall be most happy to follow him. The right hon. Gentleman enlarged on the subject of Lord Clarendon and Lord Palmerston, and the iniquity of my referring to their real or supposed opinions. The right hon. Gentleman is loud in their praise. How generous he is in his praises of the dead! I have heard him eulogize the late Sir Robert Peel and many others who have passed away, and I cannot but think it would be as well, if with that liberality for the dead, he mingled a little equity for the living. The right hon. Gentleman has treated this matter as if I had professed to give accurate information. In point of fact, I was careful to state that I spoke on indirect information; but I take the first opportunity of stating that though, from the character and position of the person who principally informed me about Lord Clarendon, I thought I was justified in mentioning what I did mention, I now have reason to believe that that information was erroneous, and I have no intention of saying anything about Lord Clarendon and the neutralization of the Black Sea. With regard to Lord Palmerston, however, the question stands differently. The right hon. Gentleman speaks as if I had made some imputation on Lord Palmerston. He objects to my referring to anything that Lord Palmerston said or did which is not recorded in an official document; and next he regards it as an imputation on the character of Lord Palmerston, to say he looked on the neutralization of the Black Sea as being of temporary rather than of permanent value. With regard to the first of these objections, I want to know on what principle the right hon. Gentleman can show that it is an offence against our cardinal rules to mention something I have heard related in regard to what is matter of history—namely, the opinion of Lord Palmerston.

Why, the right hon. Gentleman himself, in his speech delivered on the very same evening, entertained the House for a quarter of an hour with a statement—void, as I believe, of the slightest foundation—of what he had heard and what he had gathered with respect to a tour of Lord Clarendon on the Continent, and all manner of political plans and schemes then arranged between him and the Ministers of Foreign States. With regard to the alleged imputation, was it an imputation on Lord Palmerston? My proposition was that Lord Palmerston—and I asserted it as a fact not actually known, but rationally believed—looked on the neutralization of the Black Sea, not as a thing insignificant, not as a thing unimportant, but as a provisional arrangement, which could not be permanently maintained. That was the whole of my argument. I never said the neutralization of the Black Sea was not important in the view of the Government; I never even denied it was important in my own view, though I thought the difficulties of maintaining it so formidable that they might in time become insurmountable. Lord Palmerston took the just and rational view that, for a time, the neutralization of the Black Sea could be maintained, and that, if it were maintained for a time, Turkey would be afforded that opportunity of effecting internal reforms and improving her organization, on the right use of which the possibility of her maintaining her place among the Powers must ultimately and substantially depend. Now, with respect to the right hon. Gentleman's references to my language, I may remark that it was used in reply to him; and those who think it was wrong in me to accumulate evidence on the subject of the neutralization of the Black Sea should consider what charges had been made against the Government on the first night of the Session. The right hon. Gentleman said—

> "Now, when Russia repudiated the Treaty of 1856 I do not think the course pursued by Her Majesty's Government was a wise one. I admire the reasoning by which Her Majesty's Secretary of State showed to the Russian Minister the fallacy of his position; but I think that the inference he drew from his own premises was lame and impotent. Our proper answer to the first Note of Prince Gortchakoff should have been to protest against it, and to have said at once that Russia must take the consequences of such a step. In that case I doubt very much whether at this moment we should have heard any more about it. But that was not the course adopted by Her Majesty's Government. The plan of a Conference on the Treaty of 1856 which France could not attend was not politic, and the inability of France to take part in it was alone a sufficient reason in refusing to listen to any such project."

The right hon. Gentleman had condemned our policy. He had said—"You ought not to have had a Conference; you should have intimated to Russia that she must take the consequences of the step she has unhappily been induced to adopt." In other words, with one great quarrel and controversy raging in Europe, in the midst of blood and fire, the right hon. Gentleman would have recommended us to keep open another, and not to take any means to arrive at an amicable solution of the question. We were to say—"No, we will not negotiate; we will stand on our treaty rights, and refuse all modification of them; and if you act in the way you point out you must take the consequences." This is what the right hon. Gentleman recommended. This is the sort of policy by which he seeks to maintain the honour of England. He recommended that at a moment when France was prostrate—when it was known that France had long ago expressed her willingness to modify the Treaty of 1856 with regard to the neutralization of the Black Sea — when Austria had actually taken the initiative in proposing some years ago the abrogation of that part of the Treaty—and when Russia had made known to us that she would not abide by the Treaty as it stood. The wisdom, the policy, and the resources of the right hon. Gentleman suggest to him nothing more than this in such a state of European sentiment and feeling. When Russia uttered this announcement, we should have merely said—"Very well, you must take the consequences;" thereby at once placing ourselves in a position of estrangement from that important Power at a time when we thought we had one most sacred duty to discharge—namely, to keep together, if possible, in harmony and co-operation, the neutral influences of Europe, in the hope, that in some happy moment we might be able to contract that range of misery and destruction which we had long seen extending. And then, Sir, he is sad and melancholy about the honour of his country, and he thinks there was a foregone conclusion when the Conference was held. Certainly there was a foregone conclusion to the extent that I stated on February 9th, and to the extent that had been stated in the gracious Speech from the Throne; a foregone conclusion to this extent—that it was hoped that the principles of public right and the general policy of the Treaty would be upheld, and that the Powers would co-operate cordially in the revision of some of its conditions in a fair and cordial spirit, and would accept the results of that revision. The right hon. Gentleman asks—"What is the object of the Conference?" I would rather have said nothing about the Conference, which we might have discussed with very much greater advantage possibly in the course of a few days, now that we have, I am happy to say, a French Ambassador in London, and there is a prospect of peace being restored; but as the Conference has been dragged into debate, I will say that the object of the Conference is to receive, in a manner compatible with, and conformable to, public international law, the representations that Russia may have to make; to give to those representations a fair, candid, and friendly hearing; and to consider, renovate, and, if need be, fortify any of the other provisions of the Treaty of 1856 against which it may be found by the Conference any reasonable objection can be raised. Now, Sir, I believe I have met the allegations of the right hon. Gentleman, though, I am afraid, not in a manner satisfactory to him. I need not go back upon his recital of the Four Points, and the different matters which, I have no doubt, are to be found in the *Annual Register* of that day, of which he gave us a copious, interesting, and, I have no doubt, an accurate account; but with regard to the fundamental fallacy that ran through the whole speech of the right hon. Gentleman—namely, his continually representing the question of public law raised by the despatch of Prince Gortchakoff as being simply the question of the policy of the neutralization of the Black Sea, and with regard to the intentions of the British Government, I trust I have succeeded in showing the House there is not the slightest shadow of foundation for the charges he has made.

ALLEGED CONGRATULATORY MESSAGES TO THE CROWN PRINCE OF GERMANY.—QUESTION.

SIR HENRY HOARE: I wish to put the Question to the head of Her Majesty's Government, which I previously addressed to the Under Secretary for Foreign Affairs—namely, Whether the statement in the "Daily Telegraph" is correct—viz., that Captain Hozier has been charged with messages to the Crown Prince of Germany from Her Majesty, the Prince of Wales, and the Duke of Cambridge, of congratulation upon the successes won by his army?

MR. GLADSTONE: Sir, I cannot answer the Question without expressing my very deep regret that such matters as the personal communications between august persons nearly related in blood, and, of course, feeling that relationship the more closely from the painful and dreadful circumstances of the day, should become the subject of scrutiny in this House. I even venture to hope that there may be some caution exercised in the Press with regard to the printing of matters of that description, unless after the greatest care to ascertain the accuracy of what is printed. I know not whether I should make an appeal to my hon. Friend himself, if I say I am very sorry such a Question should be put in the House of Commons—which, indeed, I am. Still, my hon. Friend might reply that this statement has been published, and as it has been published, and may do mischief, it is well that an opportunity of contradiction should be be afforded. At the same time, there are limits to the doctrine which I sometimes see adopted by the Press—that any gentleman who is charged with something criminal and disgraceful ought to be very much obliged to those who print it, because it gives him an opportunity of contradicting it. I can only express a hope, with regard to those exalted personages who have not the same powers of self-defence that we employ, that great caution will be used in the publication of matters of this kind. When I saw this Question, I doubted whether the House would wish to have such a subject dragged within its sphere unnecessarily, and it was for some time a doubtful matter with me whether we ought to take cognizance of the Question. However, upon the whole, as it would give me the opportunity of expressing a respectful, but very earnest hope that such things will not come up again, I thought I had better make a full answer to my hon. Friend. When I read the paragraph referred to, I had the fullest conviction that there was no foundation for the implication—rather than information—conveyed in it—namely, that anything had passed between Her Majesty, or between the other exalted personages mentioned, and any of those at the head of the German Army, of a nature in any degree to compromise the character of this country, or to go outside of what lies strictly within a neutral's duty; and upon making examination into the matter, I have not the slightest hesitation in saying I feel myself authorized to say that the inference or assertion, be it what it may, that congratulations have been conveyed, or any message or communication has been conveyed, of a nature to imply the taking of sides in this war—for that is the point of my hon. Friend's Question—is totally and absolutely void of foundation. Do not let it be supposed that in saying this I make any imputation upon anybody; I make none. There is a little game which is sometimes played when eight or ten people are sitting round a country fireside, and having nothing else to do. One sets the ball rolling by telling a little anecdote to the friend next him, and who keeps the game alive by narrating it to the next, who passes on the tale to his next friend, and so on until it has gone round the circle from one to another, and returned to the one who began the game, who then tells out aloud what he has just heard from his last neighbour, when it invariably falls out that the story in the process has lost all resemblance whatever to the form in which it was originally given; and I believe that is something like what has happened in this case. That Captain Hozier is a gentleman of discretion and ability I am confident; he was entrusted with the duty of conveying certain messages to persons in exalted situations; they, gratified by the kindly expressions of feeling they had received, communicated them to persons of their own rank, and they to others nearly as exalted; thence they filtered down to aides-de-camp, then became the subject of conversation in the Army, and from that source they were picked by Special Correspondents, anxious to cater for the English public, and well versed in that sort of innocent cookery which gives additional interest to statements of this kind. The message sent by Her Majesty requires to be no matter of secresy at all. It was simply to say everything kind to the Emperor, the Crown Prince, and the persons with whom she was related; everything kind, that is, from friend to friend, from relative to relative, with respect to their condition of health, after the trying scenes they had been going through, and with no regard whatever to the political interests of the war which has been carried on. I will not weary hon. Members by going more or less into details with regard to the other illustrious personages—the Prince of Wales and the Duke of Cambridge; but I will assure them, in the same way, of my entire conviction that there was not a word sent from them which could by possibility be supposed by any fair person to convey opinions upon the war. Indeed, I am not able to make out that anything was said relating to military matters in any way or form whatever. I am sure my hon. Friend will be as satisfied as anyone at receiving this answer; but I hope the matter will be duly weighed, and I trust we shall not be subjected to a repetition of such Questions.

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—*considered* in Committee.

Committee report Progress; to sit again upon *Monday* next.

EAST INDIA REVENUE ACCOUNTS.

Considered in Committee.

(In the Committee.)

MR. GRANT DUFF*: When I addressed the Committee upon the financial position of India in August last, my Statement was founded upon three documents—upon the Actual Accounts of the year ending the 31st March, 1869; upon the Approximate Accounts of the year ending the 31st March, 1870, technically described as the Regular Estimate; and upon the calculations and conjectures of the Governor General and his Council for the year now passing over us, the year ending the 31st of March, 1871.

On this occasion I must base my Statement upon two documents only, as anything corresponding to the third document which I used last year does not yet exist—that is to say, I must base it on the Actual Accounts for the year ending the 31st March, 1870, and on a telegraphic summary of the Approximate Accounts for the year now passing over us, so far as they were known to the Viceroy and his Council on the 21st February—that is, last Tuesday—an abstract, in other words, of the Regular Estimate for the year 1870-1, which will, after undergoing, perhaps, some correction, be laid before Parliament, according to law, in the month of May. Hon. Members will be good enough to observe, that this abstract gives the figures in round numbers.

I am all the more glad to make the Indian Financial Statement at the beginning rather than at the end of the Session, because I have not to be now, as I was on the 3rd of August, 1869, and on the 5th of August, 1870, a Job's messenger. On the first of these occasions, I had to announce that the Actual Accounts of 1867-8 showed that India was about £1,000,000 to the bad; and, on the second occasion, I had to announce that India was nearly £2,800,000 to the bad. Now, however, I have to announce that India was, in the year ending on the 31st March last, nearly £120,000 to the good, and that, so far as the information which we have received up to the present moment extends, but making all the reserves necessary, there is every probability of her being, in the financial year now drawing to a close, fully three-quarters of a million to the good. In short, we have reason to believe that we shall this year have almost, or altogether, the surplus which we think we ought to have, and for which the Secretary of State has laid down that the Governor General and his Council ought to arrange—that is a surplus of between half a million and a million.

The Regular Estimate for 1869-70, which was presented to Parliament in May last, showed an estimated excess of expenditure over income, excluding, of course, public works extraordinary, of £563,495. The Actual Accounts show an excess of income over expenditure of £118,669. The result shown by the Actual Accounts is, therefore, more favourable than the Regular Estimate by £682,164. It will be in the recollection of some Members of the Committee, that I prepared them for this agreeable result by communicating to them the substance of the information which we had received from India by telegraph up to the 16th of July—that is, up to a date three months and a half later than the day on which Sir Richard Temple made his Budget Statement, the 2nd of April, 1870. On the 5th of August I used the following words—

> "We have assurances that the Actuals will turn out better than Sir Richard Temple believed when he made his Budget Statement. The substance of the information telegraphed by the Viceroy on the 18th of July was that the accounts of 1869-70, adjusted up to 16th July, were better than Sir Richard Temple expected on 2nd April by about £700,000, so that we may expect, as at present advised, a small surplus, or at least an equilibrium, thanks to the prompt and decisive action which was taken in the autumn of last year by the Viceroy and his Council assembled at Simla."

It is satisfactory to observe that almost every head of receipt has been a little more productive than was anticipated. I will not burden my Statement with the figures, but hon. Gentlemen will see them by looking at the Papers which they have in their hands.

So much for the comparison of the Actuals of last year with the Regular Estimate. Let us now look at the figures of the Actuals of 1869-70 as compared with those of 1868-9. These two will be found comforting from various points of view. First, let us look at the total receipts. The total receipts of last year exceeded the total receipts of the year before by no less than £1,638,390. Then let us see how this increased receipt was made up. £1,161,848 came from land revenue, the most important, the oldest, and the most satisfactory of all our sources of income. This increase is largely attributable to the fact that the land revenue of the year 1868-9 was, as I mentioned six months ago, unusually depressed by a bad season in Madras and the North-West Provinces, and to the coming into play in 1869-70 of a new settlement in Oude, and a re-settlement in some of the non-regulation Provinces of Bengal. The increase of about £600,000 under assessed taxes arose from the income tax, which it will be remembered was augmented in the second half of the year 1869-70 from 1 to 2 per cent. The increase of £300,000 under salt arose from the fact that the salt duties in Madras and Bombay were also raised during the last half of the year 1869-70 from 1 rupee 8 annas to 1 rupee 13 annas per maund—that is by 7½ on 82 lbs. These are the increases of gross receipt which it is most important to notice. On the other hand, there were some important decreases of gross receipt. For instance, customs in the year 1869-70 brought in less than they did in the year 1868-9 by over £263,000, thanks to the generally depressed state of Indian trade. Opium, again, brought less in last year than it did the year before by about £500,000. The general result, however, was, as I have said, highly comforting. Our Revenue was better in 1869-70 than it was in the year before by £1,638,390, and hon. Members may possibly recollect that the receipts of 1868-9 were themselves better than those of 1867-8 by £728,000.

Now let us look at the Expenditure. The Expenditure in 1869-70 was less than the Expenditure in 1868-9 by £1,254,309. This result was arrived at chiefly by a very large reduction in public works ordinary—that is to say, works of comfort and convenience not directly remunerative. A small but important saving in India of £160,000 was obtained by a diminished Army expenditure; and the charge for guaranteed interest on railway capital, less net traffic receipts, was £153,406 lower than that of the previous year, thanks to the large increase in the net traffic receipts during the year 1869-70, an increase which amounted to nearly £400,000. On the other hand, there were some considerable increases in gross expenditure in India, of which perhaps the most worth mentioning were £72,000 under post office, £143,000 under marine charges, owing to the debts of the Port Canning and Calcutta Port Funds having been written off as irrecoverable, and £235,000 from the loss by exchange on bills on India. As I have said, however, the total diminution of expenditure in India and England chargeable against income in 1869-70, as compared with the previous year, was £1,254,309.

Such are the more noticeable features in the receipts and disbursements of the year 1869-70.

I come now to the year 1870-1, the year just drawing to a close. The one great fact of the year, which is already certain, is that opium has come to the rescue. When Sir Richard Temple made his Statement in April last, nothing could be much more gloomy than the prospect of the opium revenue for the financial year which had just begun, and although in the month of August I was able to say that the prospect was somewhat better, yet even then we felt anything but comfortable about the ultimate result. From almost all quarters came prophecies of evil, and the prophecies from China were the gloomiest of all. The very able man who lately represented Her Majesty at Pekin even went to Calcutta to confer with the Governor General about the increased growth of the poppy in China. Owing to some cause, however, which we cannot in the least divine, all anticipations have been for this year falsified. Sir Richard Temple took the price of the chest of Bengal opium for the year at 975 rupees, whereas the average by our latest advices has been 1,113 rupees. This is another illustration of the truth that, after an intercourse of some hundred years, Europe really knows very, very little indeed, about the circumstances of China—that marvellous country, one of whose functions seems to be to force the nations of the West again and again and again to re-consider generalizations, in religion, in politics, and in social economy. In spite, however, of the favourable results of this year, I dare not venture to unsay anything I have said about the extreme care with which we should watch our opium revenue. Considering the enormous extent of country, even in Asia alone, where the poppy can be grown with fair success, it is really almost too much to hope that the Indian drug will continue to be so distinctly preferred by those who can buy it, as to enable us to lighten by many millions every year the price which India pays for civilized government; for whatever some Gentlemen may have to say against the opium revenue, let them never forget that hardly any of it comes out of the pocket of our Indian fellow-subjects, and if it were done away with, India would not be lightened of an impost, but robbed of a splendid estate.

To return, however, to the telegraphic summary of the Regular Estimate for the year 1870-1, which hon. Members have in their hands. In round numbers, the Regular Estimate for that year—that is, the Estimate founded on about eight months' Actuals and four months calculations and conjectures—shows that India's income for this year will be about £51,000,000, and her Expenditure, including no less than £1,800,000 for guaranteed interest on railway capital, will be somewhere about £50,000,000, the probable result being accordingly a surplus of nearly £1,000,000. Hon. Members may be surprised that I do not say more about this year 1870-1, but I do not dwell upon it, advisedly, because we have given them all the information we possess ourselves, and have in fact, fallen under the curse of Voltaire—"Woe unto him who says all he knows upon any subject." We see the figures, we can form conjectures about them, but the usual explanations of details we cannot give. There are disadvantages and difficulties in corresponding by telegraph about the affairs of an Empire.

The Committee will, I hope, do us the justice to remember that we are making this Statement at a time anything but convenient to us, under the impression forced upon us by an experience of many years, that Parliament will only give up a whole night to India, I mean, of course, in perfectly peaceful and easy times, either at the very beginning or at the very end of a Session. We should like to make our Financial Statement each year somewhere about the 15th or 20th of June; but when we *have* made a feeble effort in that direction, all Governments of all parties have always treated us as amiable children who asked for the moon.

Such, then, are the facts of the year that is completed, and the probabilities, so far as they are known to us, of the year which is now in progress. As to the year to come, I can say little, because we have not yet received, and cannot for some time receive, the plans of the Government of India for meeting the outgoings of 1871-2. There are two points, however, as to which I am in a position to make some explanations. First, there is the income tax of 3⅛ per cent, or, say, 7½*d.* in the pound. To that income tax the Home Government consented with considerable reluctance, and I am glad to say that, unless some very unforeseen and quite extraordinary emergency arises, in the next few weeks, it will certainly be reduced. It can be shown, no doubt, that, even at 3⅛ per cent, the income tax hardly redresses the balance of taxation as between the higher and the lower classes. In India the poor man certainly pays quite enough, and the rich man as certainly pays too little, but, unhappily, the masses are still not sufficiently educated to know their true interests. The classes affected by the income tax are the classes who can make themselves heard not only by the Government, but by the people; and it would not be difficult to bring evidence to show that this very income tax, which, if it could be used as we use it in England, might enable us to adjust the burden of taxation with almost scientific accuracy — is really unpopular to some extent with the very classes whose burdens it lightens. *Populus vult decipi*, and as usual it obtains its wish; nor must it be forgotten that the income tax has been sometimes used by unscrupulous Native collectors as an engine for the oppression of their own countrymen. The Native in power is too often, in ours as in all previous ages of Indian history, apt to use his position for his own pecuniary advantage.

The other matter on which I am in a position to give some explanation is the long discussed question of financial decentralization. It will be in the recollection of the Committee that I dwelt upon that last August as upon an expedient which ought to be tried. Well, we are going to try it. The proposal to which the Secretary of State in Council has given his sanction will be best explained by reading an extract from a Resolution of the Government of India, dated December 14th, 1870—

> "The Governor General in Council is satisfied that it is desirable to enlarge the powers and responsibilities of the Governments of Presidencies and Provinces in respect to the public expenditure in some of the Civil Departments. Under the present system these Governments have little liberty, and but few motives for economy in their expenditure; it lies with the Government of India to control the growth of charges to meet which it has to raise the revenue. The local Governments are deeply interested in the welfare of the people confided to their care, and not knowing the requirements of other parts of the country, or of the Empire as a whole, they are liable, in their desire for administrative progress, to allow too little weight to fiscal considerations. On the other hand, the Supreme Government, as responsible for the general financial safety, is obliged to reject many demands, in themselves deserving of all encouragement, and is not always able to distribute satisfactorily the resources actually available. Thus it happens, that the Supreme and local Governments regard from different points of view mea-

> sures involving expenditure, and the division of responsibility being ill defined, there occurs conflicts of opinion injurious to the public service. In order to avoid these conflicts, it is expedient that, as far as possible, the obligation to find the funds necessary for administrative improvement should rest upon the authority whose immediate duty it is to devise such measures. This is the more important because existing Imperial resources will not suffice for the growing wants of the country. The Supreme Government is not in a position to understand fully local requirements, nor has it the knowledge necessary for the successful development of local resources. Each Province has special wants of its own, and may have means of satisfying them which could not be appropriated for Imperial purposes. A tax adapted to the circumstances of one part of the country may be distasteful or inapplicable elsewhere, and everywhere rates may be proper for provincial or local purposes which could not be taken for the Imperial revenue. . . . ."

It would have been satisfactory had his Excellency in Council been able to propose the enlargement of the power and responsibility of the local Governments, without charging upon local resources any part of the existing Imperial expenditure. This cannot be done, but it has been determined to make as small a demand upon these resources as possible. At the same time it should be remembered that the relief of the Imperial finances has been a principal object in the discussion of such measures on former occasions.

> "The Government of India is accordingly pleased to make over to the Governments, under certain conditions to be presently set forth, the following Departments of the Administration, in which they may be supposed to take special interest, and to grant permanently from the Imperial Revenue for these services the sum of £4,688,711, being less by £330,801 only than the assignments made for the same services in 1870-1,—gaols, registration, police, education, medical services (except medical establishments), printing, roads, miscellaneous public improvements, and civil buildings. Unless some fiscal misfortune, such as a heavy loss in the opium revenue, or national disaster, such as war or severe famine, occurs, the Governor General in Council will maintain for the future the assignments for 'Provincial Services' at the amounts now fixed. They will not, in any case, be reduced without previous consultation with the Governments. The actual permanent Imperial assignments for 'Provincial Services' will be as follows:—

	£
Oude	206,948
Central Provinces	261,263
Burmah	275,332
Bengal	1,168,592
North-West Provinces ...	640,792
Punjaub	516,221
Madras	739,488
Bombay	880,075
	£4,688,711 "

These amounts for works of comfort and convenience, and local purposes of many kinds, are as large as we can afford, but they are not really very large, much less extravagant. Let us see what they amount to, if we use Colonel Chesney's convenient scale of comparison with countries nearer home. Oude, which is about as large and as populous as Holland and Belgium united, will receive from the Imperial Government for its works of comfort and convenience, and other things which have more or less of a local character, an allowance of something over £200,000. The Central Provinces, which are about as large as Great Britain and Ireland, but rather sparsely populated, will receive about £260,000. Burmah, which is about three times as large as Scotland, will have about £275,000. Bengal, or say the Austrian Empire, will have nearly £1,200,000. The North-West Provinces, about equal in area to Great Britain, and more densely peopled, will have £640,000. The Punjaub, or say the Kingdom of Italy, will have about £520,000. Madras, which is rather larger than Great Britain and Ireland, and about as thickly peopled as France, will have £739,000. And Bombay, which is somewhat bigger, will have £880,000. All local services and works, not directly remunerative, that cannot be paid out of these allowances, will have to be paid out of taxes raised by the authority of the local Governments within the area under their rule, and, presumably, to be benefited. I need not say that the imposition of these local taxes will be subject to regulation by the supreme authorities.

By this arrangement the Central Government will save in 1871-2, as will be apparent to the Committee, about £300,000 on the low Estimates of 1869-70, and prevent the growth of some terribly expansive items of expense. On the other hand, income tax will bring in a smaller amount, and, although there will doubtless be some reduction under various heads of Expenditure, there will be increase under others; but beyond this I can form no conjecture which would be worth laying before the Committee as to the finance of the year 1871-2. The Home Government, as has been truly said, controls, but does not direct, Indian finance, and, in the nature of things, cannot do so. Of one thing, however, we may be certain, and that is, that there will be the usual difficulty in making the ends meet. "But why should there be a difficulty," some one may say, "in making the ends meet?" For many reasons, of which the two chief are—first, that we discharge the most expensive duties of sovereignty for 200,000,000 of men with a revenue derived from 150,000,000 of men; and, secondly, that we discharge the duties of sovereignty after a scientific and civilized manner, with resources which would better become an uncivilized and unscientific discharge of them. "But why should you continue to do these things?" it may be asked. To that question I reply, after the manner of my country, by putting two others. My first question is — Are the objectors really prepared to adopt the short and easy methods of ridding themselves of treaty obligations which have been sometimes put forward? My second question is—Are we to go back on our steps, and to administer India as a whole, after the old rough-and-ready unscientific system which is still excellent for certain outlying districts? In this matter, the Government occupies a middle position between two extreme views. On the one side, you have the view which was well set forth by a very distinguished Native statesman, speaking to an Anglo-Indian statesman, a year or two ago—

> "You English," said this eminent person, "make a great mistake. All this improvement of the country, about which you talk so much, is mere moonshine. Leave the country alone. Instead of the immense taxation which you levy to give us roads, and canals, and railways, and schools, and improved courts of law, and what not, let these things be. Levy much smaller taxation, and, instead of spending the money on improving India, spend it in helping out the English Revenue, or anything else you please. You will be extremely popular, and your rule will continue long in the land."

The latest apostle of the diametrically opposite view is an hon. Friend of mine, whose maxim is—"Pay; for God's sake, pay, with both hands open. Borrow money right and left from all who will lend it. Do not be such purists as only to raise loans for expenditure which you believe will be directly remunerative. Raise loans for all those objects which you are satisfied will be indirectly remunerative. Increase, in short, the wealth of the country, and you will be at the same time increasing your own."

Now, to the first of these, the Native critic, the Government answers—Even if we wished to adopt your policy, English public opinion would not allow us to adopt it. Various views prevail in England as to the moral right or wrong of our original acquisition of our Indian Empire. Some think that it was forced upon us by circumstances; others, that it was a justifiable exertion of superior power; others, that it was an unjustifiable exertion of such power. Some say that our rule in India must continue as long as the world endures; that while the Native improves in arithmetical, the Englishman will improve in geometrical ratio; and that the stronger race will always be necessary to the weaker, as guide, philosopher, and friend: others hold an opposite opinion, and say that even now, in the year 1871, we should be admitting more and more the Natives of India into the higher posts of the government, with the distinct and defined intention of some day abandoning India. But all the holders of all these antagonistic opinions agree in insisting that, while we hold India, we must endeavour to improve India according to our lights.

To the second of our critics, to my hon. Friend, the Government replies—We wish we could take your sanguine view, but we do not find that the increase of the general wealth of the country shows itself anything like so rapidly in the increase of our wealth as you suppose. The great source of our income is the land revenue. That land revenue is fixed, and must be fixed, for long periods, and it is only very slowly and at distant intervals that we can increase it. India is the most conservative of countries, and no sooner do we try a new experiment for getting some increase to the resources of government than there is a shriek from some quarter or other. This year the shriek has been on account of the income tax. Another year it will be on account of another tax, and so on *ad infinitum*. We must disregard these clamours to a certain extent, but we dare not disregard them as much as would be necessary to carry out your views; and we should end in sheer bankruptcy and confusion, to say nothing of the moral guilt we should incur by tempting capital from England, which might be properly expended at home or elsewhere, to be, as we in our heart believe, unprofitably expended in doing things for India which should not, in our opinion, be done by capital at all, or in doing things which should one day be done by capital, but for which the country is not yet ripe. Well, but if we do not try heroic remedies for our chronic impecuniosity, like those of which I have been speaking, we are thrown back upon expedients—and expedients we have been trying one after another ever since the Mutiny. First came Mr. Wilson, keenest and most clear-headed of men, exactly the kind of man whose appointment a large party is, or was, lately clamouring for as a panacea for Indian financial evils. Well, what were Mr. Wilson's expedients? First, reduction, especially military reduction. That was excellent; but, remember, he had a military expenditure of £23,000,000 to reduce, while we have now one only of about £16,000,000. Second, an income tax; and third, revised or partially enhanced customs duties. As to the income tax, which I think a very good tax, especially in its improved and later form, it is the very central grievance which is put forward in all the complaints which we receive about the financial policy of Government; and as to the enhanced customs duties, which seem to me a less good expedient, how long did our own manufacturers allow them to continue? Then came Mr. Laing, and what is the burden of his song? It is—

> "No Government in Europe and no private company ever thinks of charging to current revenue such things as extraordinary public works and interest during construction on unfinished railways, &c., which in India are so charged, and create the deficit."

In other words, he maintains that there is no deficit at all. Then came Sir Charles Trevelyan. He was followed by Mr. Massey, to whose reign belong the license tax and the certificate tax, which are really only income taxes affecting portions of the population. Last of all came the crisis of September, 1869, to which belongs the sudden enhancement of the income tax and the salt duties. But the upshot of the whole, is that the principal expedients that have been hitherto tried to fill the deficit, always excepting the obvious expedient of reduction, have been three—some form of income tax, some form of revised and increased customs duties, and the enhancement of the salt duties. "But," someone may say, "this shows a great poverty of financial resource. Might you not try many other expedients? Have not many persons advised you to tax tobacco, to tax successions, to tax Native marriages?" Yes, all these expedients have been suggested to us, and have had powerful advocates; I will not commit myself against any one of them. Nothing is more possible than that, sooner or later, in Indian history one or other, or all of them, may be tried, either by the Central Government or by one or other of the local Governments in this or that part of India; but there are, certainly, a great many considerations which would have to be most carefully weighed before any one of them was adopted, and which have hitherto prevented their adoption. "But," I am told, "you are at least sure of your present sources of revenue, and these are highly expansive." Expansive they are, no doubt, but hardly highly expansive; and as to our being quite sure even of them, that I doubt too. The salt tax in some parts of India is confessedly too high, and will, sooner or later, in the exceptional districts, have to be reduced. I have again and again pointed out that under the head of opium we may have great disappointments; and the retention of the few export duties which remain to us under the head of customs must be defended rather on the ground of necessity than of principle.

Is, then, our chronic impecuniosity to be mended by saving? Yes, to some extent; but, as I have pointed out on former occasions, our margin for reduction is not, after all, enormously great. We must always have a very considerable British force. The British soldier in India is a fearfully expensive instrument, and one not likely, I fear, to become cheaper. By the last Returns we had 61,481 European officers and soldiers in India, and 133,229 Native officers and soldiers. Add these together, and it gives you about one man for every thousand of the population of British and feudatory India. That is not an overwhelming force, though it might be very rapidly raised, in the very improbable event of trouble ever assailing India from without, to be an overwhelming force. Then consider the endless auxiliary expenses which the maintenance of even this moderate force requires, and it will be understood that, though we are in the course of making reductions, neither these nor any possible civil reductions will go very far to put us at ease in our circumstances in India.

The position of the Indian financier is altogether different from that of the English one. Here you have a comparatively wealthy population. The income of the United Kingdom has, I believe, been guessed at £800,000,000 per annum. The income of British India has been guessed at £300,000,000 per annum. That gives well on to £30 per annum as the income of every person in the United Kingdom, and only £2 per annum as the income of every person in British India. Even our comparative wealth will be looked back upon by future ages as a state of semi-barbarism. But what are we to say of the state of India? How many generations must pass away before that country has arrived at even the comparative wealth of this; and how long will it be before the rulers of India can feel that they can in an emergency very largely increase the taxation? No; I am afraid we must make up our minds in India to have as much to do with our money as we can well manage. The bright side of Indian affairs will not, I fear, in any time to which we can look forward, be the purely financial one. But as long as we keep our debt within moderate limits, so as to make it absolutely certain that we can always keep faith with the public creditor, and so long as we are conscious that every year's end shows a steady advance in the civilization and well-being of the country, we must be content, I fear, to remain, as a Government, very far from rich. As I said last autumn, the Indian financier must make up his mind for many a long day to sail between Scylla and Charybdis—the Scylla of doing too little by public works and improved administration for a country, the physical and moral conditions of which require great expenditure on public works, and an administration which must be progressively costly as civilized supersede semi-barbarous ideas of polity—the Charybdis of too large a debt, damaged credit, and financial embarrassment.

I am not forgetting the various alleviations of our burdens to which I have alluded in former Statements; the fact that our debt is relatively small; the fact that we shall get rid in 1874 of a charge of about £430,000 a year on account of East India Stock; the fact that the receipts from the railways will gradually improve; the probability that the sale of waste lands will slowly grow larger; the certain, though far from rapid, increase of our land revenue; and the not unnatural expectation that the improved material prosperity of the country will enable it to consume more taxed articles; I am not, I say, forgetting these things, but, nevertheless, I should think that I was doing very wrong if I left on the mind of the Committee the impression that I thought our pecuniary prospects were *couleur de rose.* If, however, we look away from the mere bare question of our annual balance sheet—the question whether we have, or are likely to have, a wide margin of yearly income over yearly expenditure, and ask whether in the immediate past India has not been prospering and rapidly improving, if perhaps just a little too rapidly for her purse, the answer must be a most agreeable one.

For more than two years we have had profound peace. Since the conclusion of the Frontier Campaign in 1868, hardly a shot fired in anger can be said to have awakened the echoes of even the wild North-West, and the very last news which I have seen from that quarter—a letter written on Christmas Day by Sir Henry Durand, the distinguished Lieutenant Governor of the Punjaub, who met his death in so melancholy a way—was to the effect that one of the most intractable of the intractable tribes who look down upon our frontier posts from their crag castles beyond the Indus, had been showing a very marked desire for the elements of education—the three R's at least. There has been a little uneasiness at the opposite side of the Peninsula, where our people have had some annoyance from the Looshais, who form one section of that great company of barbarians who fill up the angle between our Province of Assam, and the dominions of the King of Burmah, and amongst whom there have lately been many symptoms of disquiet, the causes of which are by no means clear. Everywhere, however, except on the very uttermost fringe and outside edge of our possessions, there has been deep quiet, a fact which should not, however, be allowed for a moment to make us forget that, in that mighty Continent which we call India, there are many elements of unrest. The agitations that have disturbed several of the countries which fall within what may be called the influence of India's political attraction, have not required anything more on our part than an attitude of friendly but absolutely passive observation. The Coast of Oman has been the scene of a prolonged conflict, but the peace of the Persian Gulf has not been disturbed; and the civil conflict in Affghanistan has had no direct result upon us, except to postpone the lending of our assistance to the Persian and Affghan Governments in arriving at a friendly and permanent understanding about certain disputed questions of boundary.

I will say nothing as to what we are doing with regard to public works, irrigation, state railways, and so forth, because, the year being incomplete, I have no figures which I can properly lay before the House later than those to which I referred in my Financial Statement of the 5th of August, 1870, and to those contained in Mr. Danvers's Railway Report, which was circulated towards the end of last Session; but they have been progressing as rapidly as circumstances would permit. It is well known to the Committee that the present Viceroy has a very keen and strong interest in all matters of this kind. I may add, with reference to a caution that fell from the right hon. Baronet the Member for North Devon (Sir Stafford Northcote) in 1869, that the attention which is being given to railways and irrigation is not making us forget the importance of harbours, and that, especially at Kurrachee, and in the Hooghly, much good work has been lately done.

In one respect fortune has conspicuously favoured us of late, for we have not, during the last two years, suffered from any of those sudden and overpowering physical disasters which so often confound human sagacity in India. Bad seasons there have been, as I have had occasion already to mention, but nothing sudden and overpowering, like the Orissa drought, or the cyclones and inundations of some former years. Against calamities of that sort man is powerless, at least, in the present state of his knowledge; but we are doing what we can to fight against preventible calamities—witness the very remarkable monograph upon cholera which has recently been published under the authority of the Government of India. Nor are there wanting agreeable indications that our efforts in the direction of sanitary reform are beginning to find favour with the Native mind. An opinion has lately been given, by very high Brahminical authority, in favour of using the water supplied to Calcutta by European agency, a fact which has been described, not unjustly, I think, in an Indian newspaper, as a real social victory.

The Trigonometrical Survey, the Topographical Survey, and the Geological Survey are progressing satisfactorily, and extending the network of our knowledge all over the peninsula.

Some want of organization having been observable in the efforts to preserve and to describe the architectural treasures of India which were set on foot in 1867, we have sent out, at the request of the Government of India, one of the most distinguished of Asiatic archæologists, General Cunningham, to give to the Archæological Survey that definitiveness of aim and regularity of procedure which seemed to be wanting; and a cognate duty, with regard to the preparation of a complete Gazetteer of India, has been intrusted to Dr. Hunter, whose book on the *Annals of Rural Bengal* attracted so much and such deserved attention two or three years ago.

The lamented death of Mr. Hayward, on his way to explore the Pamir Steppe, has excited great indignation and pity throughout India. Mr. Forsyth, a Government officer sent by Lord Mayo to the Court of the Ataligh-Gazee, the stronghanded Chief who rules in Eastern Turkestan, met with but moderate success in his diplomatic capacity—the ruler whom he sought being far away from his capital, warring in the north. Still Mr. Forsyth brought back a certain amount of commercial and other information, which will not be without its uses. In another part of our frontier we are anxiously looking for the day when it may be possible to re-establish a friendly commercial intercourse with Thibet, which has been too long interrupted by irrational jealousies. Still further, on the extreme north of Burmah, we are trying to foster into renewed existence the old traffic between South-Western China and the sea-board, to which an end was put, some years ago, by the Mussulman insurrection in Yunan.

The Franco-Prussian War has interrupted the training of our forest students at Nancy, but there is every reason to hope that the interruption will not continue long after the conclusion of peace.

We have not yet succeeded in getting a satisfactory machine for working up the Rhea fibre, to which I alluded last August, and the time for sending in machines on trial has been extended.

We have sent out six more cotton gardeners, and are enlarging the area of our experiments in the production of this most important article.

The sudden death of the distinguished Indian botanist, Dr. Thomas Anderson, has not prevented our continuing the arrangements, of which he had charge, for naturalizing the Ipecacuanha, to which, as I mentioned last year, in the interest of the abatement of human suffering, we attach some importance.

We are not unmindful of the hints which we have received from my hon. Friend the Member for Macclesfield, and others, about silk, to which the Madras Government has of late been giving special attention.

As little have we failed to play into the hands of my hon. Friend the Member for Stockport, who wants his constituents to have facilities for giving English salt a fair chance of competing with the cheap salts of Madras and Bombay; and we are not without hope that we shall make a reasonable profit, as well as confer great benefits upon the neighbouring districts, by the manufacture of salt at the Sambhur Lake, which has been leased to us by the Princes of Jeypore and Jodhpore.

I had hoped to have been able to announce that the new Department of Revenue—Agriculture and Commerce—had begun its work, but the arrangements are not yet quite completed. The creation, however, of such a Department has been sanctioned by the Secretary of State in Council, and only matters of detail remain unsettled.

It seemed that the great war which has been raging in Europe was going to exercise a very unfavourable influence upon our trade; but the fears at first entertained have turned out to be exaggerated, though not unfounded. In a very excitable population, like that with which we have to deal in many parts of India, the occurrence of such a world-catastrophe as we have been witnessing of late must, of course, cause a great deal of what I may call political feverishness, and there have been rumours and speculations, without end, in the bazaars; but nothing has occurred in any way to excite uneasiness, and the scare at Allahabad, which was telegraphed to Europe in the autumn, and produced some momentary surprise and discomfort, turned out to be the offspring of mere delusion.

Our relations with all the Princes of India, and all the independent States around and near our borders, are perfectly friendly.

The administration of justice is steadily improving throughout the country, and there is no department of affairs for which intelligent Natives seem to show more aptitude than for this. Of these intelligent Natives more and more are coming to this country; a few to compete, sometimes very successfully, at the examinations for the covenanted Civil Service, the majority to qualify for various professions.

It is to be hoped that the death of the two Natives of India of the highest rank who ever left their country for Europe—the Rajah of Kuppoorthulla, on his way hither, and the Rajah of Kholapore, who was present and took a most intelligent interest when we last discussed Indian affairs in this House, but who died on his return journey—may not prevent the resort to England of many persons whose names are as closely connected as theirs with the history of India. I am sure if they are as amiable and as sensible as the Rajah of Kholapore, whom many of us came to know, they will be welcome from considerations altogether independent of political expediency.

The extension of education amongst the higher and middle classes shows increasingly satisfactory results, and the Government has been giving very special attention of late to extending the facilities for elementary education—that potent engine for the working out of all good, as well in the East, as in the West. It is probably known to some hon. Members that India is to contribute her share to the Exhibition, which is to be opened in the month of May, at South Kensington, and, I think, that there can be little doubt that if the local authorities act in the spirit of the very sensible Memorandum which has been circulated by the Home Office at Calcutta, the educational part of that Exhibition will be more instructive than many Blue Books—

> "Competition with other countries in educational appliances is," it has been truly said, "not our object. To this we cannot hope to attain; but we can offer an illustration of a rise and progress in education such as no other country can offer; an illustration of the task which a European Government has to perform when, with limited resources, and in opposition to deep-rooted prejudices and irrational suspicion, it attempts to introduce and carry out over an enormous area, containing a vast variety of nations and tribes speaking languages or dialects, many of which have hardly yet been systematised in writing, those views upon popular education which have guided the civilized countries of Europe and America."

India is also to send many contributions to the part of the Exhibition which is to be devoted to the illustration of what the world can now do in textile fabrics, and various other branches of manufacture. And in connection with this, I will venture to ask, whether it would not be extremely desirable, alike for the encouragement of manufactures in India, and for the education of taste at home, if some systematic attempt were made by persons of capital in this country to open in London a depôt, on something like an adequate scale, for the sale of the artistic products of our Eastern Empire? Anyone who will visit the Museum at the India Office, wretchedly accommodated as it is, will go away wondering why in this metropolis, which is in close communication with all parts of India, it should be impossible to purchase almost any of the beautiful works with which those rooms are filled. It seems to me a very real evil, because I am convinced that, if society in this country could have the picturesque side of India forced upon its notice, the name of that country would cease to exercise upon all sorts and conditions of men here, not directly connected with it, that narcotic spell with which we are but too familiar.

Even the exaggerated ideas about the wealth of India, which used to prevail in England, and which still linger in France, were not without their advantages; they struck the popular mind and attracted attention to it, by investing it with a halo of romance. We know that these were dreams; but we also know that if India is not as rich in gold and gems as was believed, if her soil taken as a whole is not equal in fertility to that of England, yet that the patient application of science to the cultivation of that soil, and a minute investigation of its products, organic and inorganic, will illustrate the old story of the field beneath which a treasure was said to be hid, and will make India, if India remains peaceful and progressive, one of the most important factors in the prosperity of mankind. We know that the investigation into the history of the most venerable of her languages has been important not only from the actual addition it has made to human knowledge, but as putting into the hands of the student a key for the unlocking of a thousand secrets in the history of religion, of philosophy, and of society. We know that if we can once thoroughly penetrate India with all that is best in European civilization, it will not be India alone, but the whole of Asia, or at least the whole of Asia south of the great central ranges of the Continent, that will be benefited; and that when we ask our people to take an interest in India, we are asking them to take an interest in something much wider and deeper than the mere fortunes of a British dependency. I cannot help thinking that if the public mind were once thoroughly possessed of the idea that, in addition to being a great European, a great African, a great American, a great Australian, and a great Oceanic power, we are incomparably the greatest Asiatic power, we should get rid of that foolish self-consciousness which makes us perpetually fuss about what we are pleased to call our prestige and our position, and should make up our minds simply to do our duty as a cosmopolitan power according to our lights. I beg, Sir to move the Resolution which I have placed in your hands.

Motion made, and Question proposed,

> "That it appears by the Accounts laid before this House that the total Revenue of India for the year ending the 31st day of March 1870 was £50,901,081; the total of the direct claims upon the Revenue, including charges of collection and cost of Salt and Opium, was £9,230,823; the charges in India, including Interest on Debt, and Public Works ordinary, were £32,293,859; the value of Stores supplied from England was £1,379,052; the charges in England were £6,331,614; the Guaranteed Interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,547,064, making a total charge for the same year of £50,782,412; and there was an excess of Income over Expenditure in that year amounting to £118,669; that the charge for Public Works extraordinary

was £2,599,614, and that including that charge the excess of Expenditure over Income was £2,480,945.

MR. STEPHEN CAVE said, the hon. Gentleman had made, as on former occasions, a very clear, able, and comprehensive Statement on a very difficult and intricate subject. He regretted very much that his right hon. Friend the former Secretary of State for India (Sir Stafford Northcote), owing to his absence, as the House knew, on an important mission, could not give the Committee the result of his great experience, for he felt how far less worthy of attention would be the few remarks he should endeavour to make than those which would have fallen from him. The Committee discussed an Indian Budget under great disadvantages, because, while the statement of the Minister embraced three years, hon. Members only had the opportunity of considering one of these with the requisite information before them. Taking the last three years of which they had a precise account, it seemed to him that the Revenues of India were, on the average, nearly stationary, while the Expenditure was steadily advancing. The year 1869-70, the subject of the Resolution now before them, showed rather a better account than the two years immediately preceding; but it contained the seeds of increased annual expenditure in charges for guaranteed railways and in interest on loans for reproductive works constructed by the Government, and at the same time relied too much on the apparently diminishing and questionable opium revenue, while the receipts from excise, customs, and stamps, as well as those from land, appeared to rise but little in proportion. No one, he imagined, would consider this a satisfactory condition—ordinarily a serious deficit, nearly £2,000,000 a-year for three years; sometimes a small surplus, so small that a very trifling mishap or miscalculation would suffice to throw the balance on the wrong side. The telegraphic Budget which had just been placed in their hands, showed, it was true, a larger surplus. He hoped it might be so; but they had heard occasionally of amended Budgets, and in this case also the hon. Gentleman had used the ominous phrase, that opium had come to the rescue. Surely this was not a result on which the Minister could congratulate himself, or which could be satisfactory to the people of this country, who, in addition to the general interest they must feel in so magnificent a dependency, were becoming more and more personally interested in the prosperity of India on account of the capital which flowed from them for the construction of her public works. Was there any hope of inaugurating a more prosperous era? He need hardly say that this could only be done in two ways—either by reducing the Expenditure or by increasing the Revenue. Could the Expenditure be reduced? It was generally allowed that this could not easily be effected. True, it might be that here and there charges might be cut down for what might appear to economical reformers to be unnecessary pomp and ceremony. But all people did not see with our eyes, and we were told on excellent authority that it would be unwise and impolitic to bring down our establishments in India to Spartan simplicity. The Army was enormously expensive; but an Army so situated must be costly. We heard indirectly of reductions in the artillery. He hoped this arm might not be reduced so far as to be inconsistent with safety. It might be that some reduction was possible in the Madras Presidency. But, as the Navy was scarcely powerful enough, no material diminution could be looked for in the charge for defence. The other items were by no means excessive, and that for the collection of the Revenue — about 10 per cent — was moderate. Perhaps he might except the charges for stores supplied by this country, according to requisitions. Some experience as a West India proprietor convinced him that the object of those who made out such lists was to ask for at least enough; and, though the hon. Gentleman might say, and say truly, that these items were carefully examined and some even disallowed, he (Mr. S. Cave) had gone through that ceremony in West India accounts, and generally found that those articles which he struck out were discovered afterwards to be absolutely necessary, and were purchased at a much higher price on the spot. He did not know how the guarantee fund to be paid in 1874 was invested. [An hon. MEMBER: In Consols.] But it had been proposed to lend it to Indian railway companies, and so to obtain a higher interest. There was one way, indeed, in which a diminution might be made in the present charge. The small surplus of the year 1869-70 was obtained by carrying to capital account the expenses of extraordinary public works—that was, of reproductive works—of irrigation, railways, &c. To this no one could object. But there was no reason on principle why such charges as that for barracks should not be spread over a series of years. These were permanent works, designed to last for many years. They were works like stations, which would be placed to capital by auditors of a railway without hesitation, or like the fortifications which we had been paying for by loans. He said, then, that there was no reason, on principle, why this course should not be taken; but they were told that the credit of India would suffer if we borrowed so freely. That was a valid argument. The credit of England did not assist that of her dependencies, except in a few rare instances. He thought, indeed, that those instances might be extended with care and judgment, and that one of the most legitimate and safest ways of assisting rising Colonies was to enable them to borrow money for reproductive purposes at a cheaper rate by endorsing their bills. But until this was done he could not advocate straining the credit of India by borrowing for non-reproductive works, especially as we were told that these barracks, constructed at so enormous a cost, were eminently unfit for their purpose. Repetitions, probably, of the costly mistakes in the West Indies, where the barracks used generally to be built in the most unhealthy situations, one of which, now abandoned, he was told, was constructed of bricks from England, carried up mountain-paths on mules' backs, and costing 1*s*. 6*d*. each before they arrived at their destination. If, then, there could be no material reduction of Expenditure, what prospect was there of raising a larger Revenue? Take first the customs—export and import duties, both of which were, or ought to be, regulated by circumstances over which the financier had no control. Export duties were usually the most impolitic of taxes, as, unless the country had an entire monopoly of the article, the price was not increased by the duty, which, therefore, fell upon the producer. In India this was essentially the case, as the largest amount of export duty was levied on grain, especially on rice, and it was evident that this commodity must go into the markets of the world unduly weighted. He should rejoice to see the abolition of the export duties, or their reduction to a mere registration fee. No increase on that head could be expected or desired. Could the import duties be increased? He was not one of those who had any great objection on principle to tax the necessaries of life. It could not be avoided in many instances. If a man used necessaries only, and could not be taxed directly, you were unable to touch him in any other way. He (Mr. S. Cave) should have to enlarge a little on this presently. Nor was he much influenced by what was called the Manchester School, who thought that the end and aim of finance was to get Manchester goods into every country of the world duty free. His idea was that an import tax was a good tax, so long as it did not materially impede imports. But there were two incidents to this tax in India which must not be lost sight of. Cotton goods paid the largest share of the duties, though by no means heavily assessed. In the first place, these imported goods competed with home manufactures, and, without a countervailing excise duty, the competition was unequal. Secondly, the duty, supposing it paid by consumers, was a tax which fell upon the poor, as the upper classes wore habitually the higher priced home-made fabrics. It was possible that a slight addition to the customs duties might not materially affect imports, but he did not expect that a very large increase could be obtained; and, though the revenue derived from these, together with other taxes, had been more elastic since the Mutiny, the increase had not been great for a population of 150,000,000. There were, indeed, articles such as tobacco and sugar, the latter of which, if not the former, India had begun to import, as well as to grow at home, a moderate customs and excise duty on which might bring in a fair return, and would press very lightly on the consumer. So much for customs duties properly so-called. He now came to that very peculiar, very profitable, and very much abused source of revenue, the opium duty. He need not re-capitulate the many arguments they had heard, and would hear again, on that subject; but if it were in Bengal, as in other parts of India, a mere tax, a transit or export duty, it might be susceptible of the same excuse that the present First Lord of the Treasury, he thought, made for the spirit duty in the United Kingdom—namely, that we could not be said to foster it when we put upon it as heavy a duty as it would bear without encouraging smuggling. He did not know how the right hon. Gentleman would have felt, when Chancellor of the Exchequer, if his well-meant efforts to discourage the consumption of spirits had been entirely successful. But unfortunately, in Bengal, opium was a Government monopoly. Government not only taxed it, but they grew, manufactured, and sold it. Tobacco was a Government monopoly in many countries. The Chancellor of the Exchequer had proposed to make life assurance a Government monopoly here; but he did not know what the hon. Member for Carlisle (Sir Wilfrid Lawson) would say if it were proposed to raise some millions in the United Kingdom by a Government distillery. This opium revenue had an ugly look in more ways than one, for we charged so highly for the drug that we had fostered its growth not only in China, where at present it had found no such suitable soil, but in Persia, where he understood it was nearly as good as in India; so that we might possibly lose this source of revenue without having the credit of giving it up for conscience' sake. Then came salt, which was taxed at rates varying from 500 to 2,500 per cent on prime cost in different parts of India. That had been regarded by many as not dependent on price, subject to few fluctuations—in fact, a kind of poll tax, rising with increase of population. Unfortunately, famine had destroyed vast numbers who paid this tax; but, more than this, a casual scarcity in the Government salt stores in Bengal had proved that a large portion of the inhabitants of India, when an article arrived at a certain price, did without it, and in that way entirely upset the calculations of the Finance Minister. He had said nothing about the income tax, in respect of which opinions so widely differed. It was at present very high, and without it the telegraphic Budget would have presented a less favourable result. With the exception of great merchants, such as the Parsees, whose wealth was well known, though not more than their liberality, the money incomes of Natives was not generally very large. They had the apparent wealth of servants, horses, and magnificent attire; but we are told that the jewels on Oriental dresses and arms were not very valuable, being of the kind called "Lasque" diamonds, and that a very superb show might be made at a comparatively small cost. To say that the income tax was unpopular in India was no very strong argument. It was unpopular everywhere. But we must not forget that of all people the Indians were most suspicious of novelty. He believed they would prefer the doubling of an old tax to the imposition of a new one. This brought him to the mode in which he ventured to ask, with great deference, whether the deficiencies in the Revenue might not be supplied. There were three conditions of national existence, to each of which, as it seemed to him, a different plan of taxation was applicable. The first was that like our own, in which the people were settled and stationary, having much fixed property and many artificial wants. In the case of such a population direct taxation might well be applied to property, and indirect taxation to luxuries. Secondly, there was the newly-settled country in which the people were sparse and migratory, and though well to do and not in the habit of denying themselves, were impatient of taxation and difficult to reach. Indirect taxation, and on the necessaries as well as the luxuries of life, was the only method which paid the cost of collection in such countries; and he had always thought it most unfair that we should first call upon Canada to incur large outlay in self-defence, and then raise an outcry against her for obtaining the ways and means by almost the only method available for her. Thirdly, there was a class of people, like the Natives of India, who, owing to climate and habits, had few wants and little accumulated property. He spoke now of the masses, who, when prices rose, did without almost all the necessaries of life, as had been shown in the case of sugar, when the price in Europe had made it worth exporting. Upon such a class a hold could only be obtained in two ways—their persons and their land. In the Native States of India this had been recognized, and acted upon from time immemorial. There the bulk of the Revenue sprang from two sources. First, the land, in customary rents—namely, the portion of rent reserved for the State—and various local rates—cesses as they were called in India as in Ireland—secondly, from a sort of protection or poll tax, that which a man paid for the protection of the State. "Skin for skin, all that a man hath will he give for his life," had frequently been the maxim of the Native Princes; and they had made it the excuse for the most grinding extortion and oppression. Mehemet Ali, in Egypt, justified his exactions in another way. He said that if he allowed the Fellaheen to have two shirts it would be impossible for him to govern them. That was not our policy; but he ventured to ask whether a way out of our difficulty might not be found in these two directions. A poll tax was the only tax for a naked man, who would live upon almost nothing, and he believed it would be found less objectionable and oppressive than the salt tax. Lord Grey, as was mentioned in a former debate, was in favour of taxing articles most used by negroes in the West Indies; but he was dealing with a people who, though adverse to work, would rather work than do without what they were accustomed to. The mention of the West Indies reminded him that the emigration of Indians to those Colonies, as well as the increase of public works in India, had caused so great a rise in wages in India that the labourer was far better off, and more able to pay, than in former times. With regard to land, he should doubtless be met by the "fixed settlement." Well, he was aware of what, speaking with great humility, appeared to him the most unwise of all arrangements, by which the Government, unlike other landlords, precluded itself for long terms of years, and in some cases for ever, from sharing in the rapidly improving value of land. Where faith was pledged it must be kept, even to our own hindrance, but there was no reason why the landlord should afterwards lay out large sums in raising artificially the value of the same land, without demanding from the tenant a percentage of the cost, which in this country was freely given in such cases every day. Again, we had in this country a land tax redeemed in most cases at a fixed rate, but this did not prevent rates being laid over and over again upon land, for local, or what were called local, purposes. Education was defrayed, in great measure, by local rates here; in India it was charged on the Imperial Revenue. And surely we might fairly ask for local aid to railways and irrigation works, which had so enormously increased the value of land and its products, that exports had multiplied nearly five-fold, and corn had risen in price at Jubbulpore from 12*s.* to 36*s.* a quarter. And all this through the State sinking £200,000,000 in improvements, expenditure on which in the last complete accounts made, according to the Resolution of the Under Secretary, the difference between surplus and deficiency, and yet taking the same rent as before, and in some instances even alienating land in perpetuity for a mere nominal price. Might not this system of local rates lead to the local and decentralizing management of affairs which was considered so desirable to those who looked forward to the Native population assisting us to govern the country, and becoming less apt than they were at present to call upon Government to initiate social reforms? At least we might begin locally, and try them with five cities, before entrusting them with the Empire. And now, although he had detained hon. Members too long, he should like to say one word on this Committee, which was to inquire into Indian affairs. He doubted its doing much good, though it might do great mischief. But he was thankful it was not to be a Commission sent to obtain information in the country itself. Persons who talked of sending Commissioners to India, as if they were to inquire into Scotch Fisheries or English Factory Acts, little knew what they were talking of. It was said that the Saxons in Ireland, after all our attempts at conciliation, were merely encamped in an enemy's country. If that were so, what must it be with the handful of English in India? Looking to the difference of national character, which made conspiracy which was almost impossible in Ireland easy in India, we might well say of our countrymen there that they are on a slumbering volcano.

> "Incedunt per ignes
> Suppositos cineri doloso."

What mischief such a Commission might do by exciting vague hopes or fears among excitable Southern races might be imagined from the effect which the late most ill-judged roving Commission, sent out on most inadequate grounds by the Colonial Office to British Guiana, had exercised, and would for some time longer exercise, upon the coloured population. Then, what would be the composition of such a Commission? Possibly, old Indians, who would be quite able to draw up their Report without leaving the country; or men of books and theories, who would not stay long enough to realize their own ignorance. He remembered once going to look after some family property in the West Indies. He read everything that had been written on the subject, and went out to set everybody right, fully convinced that he knew their business better than men who had been engaged in it all their lives. It was not till he had been six months in the country that he began to find out how little he really knew. How little one knew of the inner life and real feeling of the working classes immediately around us; aye, without even excepting those who claimed specially to represent them. He had heard a distinguished Indian official acknowledge this with respect to the inhabitants of India—a man whose life had been spent among them, who could speak to them in their own language, and even, as he expressed himself, knew when they meant what they said and when they did not. It behoved us to beware of expressing doubts or hesitation. A vigourous government was far preferable to a much better government weakly administered. Revolutions had usually been in the reigns of good and weak, not of bad and vigourous rulers. A Governor General, even an able and energetic one like the present, had great difficulties to contend with—difficulties within his own Council, which was not so manageable as a Cabinet, though that was said to be not always a happy family; difficulties from conflicting interests and contending races; difficulties from the Press. All these, not unknown here, had to be encountered in an exaggerated form in India. A Committee would be apt to act on the notion that English ideas and English institutions were like a general fitting saddle, good for any country. But even in these days of telegraphs India must be governed in India. Mistakes must be corrected there, not at home. With a people, or rather peoples, of that kind, want of authority would be fatal, not only to good government, but to the very existence of our magnificent and dearly-bought Indian Empire.

Mr. W. FOWLER said, he agreed with the right hon. Gentleman who had just sat down (Mr. S. Cave), that this Statement would be far from satisfactory. In the first place, there was a supposed increase of the opiume rvenue; and, in the next place, a large decrease in the expenditure on public works. If hon. Members would turn to the figures they would find that the decrease in the expenditure on public works for 1870-1 was £1,000,000 as compared with the actual expenditure in 1869-70; and there was also a decrease in the expenditure on public works extraordinary amounting to nearly another £1,000,000. Now, it appeared to him that it was a very serious thing for the Government to commence so rapid a diminution in the expenditure on public works in India. He had read over and over again, on the authority of the very highest Indian officials, that the need of public works in that country was now as great as ever; that what had been done was comparatively nothing to what was required; and that over very large tracts there was a great deficiency of roads, bridges, embankments, and every other kind of the most necessary works. If that were so, he could not congratulate the hon. Gentleman (Mr. Grant Duff) on the decrease of expenditure this year under that head. While on this subject he begged to say a few words on a question of principle to which the hon. Gentleman had alluded with special reference to himself. He must say he held that if a public work was of a permanent character and was really useful to the community it ought not to be paid for out of revenue, but out of local taxation. In this country we should not dream of making a drain across a street without borrowing the money, because we were in the habit of proceeding on this principle—that those who came after us should share in the burden. In dealing with India we adopted a totally different principle. The hon. Gentleman had said that we did not find the result we might have expected from the money spent in India. Well, that would be an argument against making the expenditure out of revenue, for it would go to show that these works should not be constructed, as not being certain to be productive. Over and over again we had been told that the Indian Budget showed a constant deficit; but that had arisen of late years simply from this item of public works. The figures were very remarkable. In 1867-8, independent of the expenditure on public works ordinary, there was an actual surplus of £4,873,000. In 1868-9 the surplus was £3,809,000; and in the last year there would be a surplus of just about £3,000,000. Now, it puzzled him exceedingly to know why the poor people of India should have to pay additional imposts—an additional salt tax and an increased income tax, for instance—required to meet an increasing expenditure on public works. If a public work was paid for out of revenue it must be carried on in the most extravagant manner, because it would be constantly stopped in the middle for want of funds, and the works discontinued could not be resumed except at an additional expense. Take, for example, the works on the Godavery, which had been so much talked of in that House, and had almost become a by-word. He knew that a telegram had been sent out to stop those works in the middle, the men were all dismissed, and the whole affair had cost half as much again as it would have done had it been pushed on quickly. On the other hand, if the money were borrowed and the work proceeded with with all possible rapidity, he ventured to say that one-third of the cost incurred by doing it in driblets would have been saved. This was the course adopted in the construction of railways in this country, and he had yet to learn what difference there was in this respect between railways and public works so called. It had been said that those works were not directly remunerative; but a good road was as directly remunerative in its degree to the community as any work that could possibly be made; it was in its degree as remunerative as a railway, even if no toll was got out of it. So again with regard to military buildings, which formed a very large item in what was described as public works ordinary. It was of the highest importance that the lives of the troops should not be thrown away from being in bad buildings, and, therefore, to provide good barracks was a most remunerative expenditure. But he had been told that the barracks in India were badly built; but that only showed

that in paying for works out of revenue there was no security against improper expenditure. The fact was it discouraged a good officer and made him feel that he would not get full supplies for his work, while it did not make the lazy man diligent. He had been exceedingly struck by a speech made last summer by Sir Bartle Frere, who was admitted to be a man of high authority in these matters, in which he said that in the Public Works Department of India the best man was not he who would forward works, but he who would check them. It was perfectly true that great caution was required as to the amount laid out in public works, just as in England in 1847 we laid out far more than the country could afford. That was a matter of judgment and discretion; but if they expected to find in paying out of revenue a security against extravagant expenditure, the check would prove utterly illusory. One or two other things in the Budget had struck him. He maintained the opinion he had expressed a year ago with regard to the opium revenue. They had been told that it was an extremely uncertain revenue; he believed it to be most unsatisfactory. The right hon. Gentleman opposite had said, with great justice, that it was like a revenue derived by the Government from an enormous distillery carried on at the public expense. But such a thing would not be tolerated for a moment; and yet we talked of the opium revenue as perfectly innocent, and very few Members lifted up their voices against it. In his opinion, it was an immoral thing for a Government to have a hand in, and the sooner they got rid of it the better. He was told last year it was a matter of dispute whether it was or was not injurious to the people of China. He was persuaded that it was injurious, and he felt that our conduct in this matter had not been marked by the high principle which ought to be expected from a nation as civilized and advanced as our own. The expenditure on the Army had also been referred to, and certainly it was very great. He would call the attention of his hon. Friend to an opinion expressed on this point by Sir Charles Trevelyan a few months ago—that almost the whole cost of the Army of Madras was a sheer waste of money. Now, if he mistook not, the cost of that Army was nearly £3,000,000, and therefore he would recommend to the hon. Gentleman to see whether there was not a possibility of some economy with respect to it. Looking to all the circumstances, he considered the appointment of a Committee on Indian Finance as a very satisfactory proceeding on the part of the Government, which he was sure would go into the inquiry in a business-like manner. In his opinion, it was high time that the whole question should be thoroughly investigated, because he was one of those who believed that the danger of India was the danger of England. It was perfectly true that the House of Commons was not responsible for the debt of India. For the money which was invested there the people of this country got Indian security and nothing more; but he felt assured that if we were likely to lose India, the public would demand that English credit should be pledged in order to save her. Anything, therefore, which endangered her position was of great importance to every taxpayer in England, and a question of greater moment could not, therefore, be brought under the notice of a Committee. The right hon. Gentleman who had just spoken (Mr. S. Cave) had used a very serious expression when he said the English population in India were living on a volcano. That he hoped was an exaggeration; but certainly there were enormous dangers arising out of the peculiar prejudices and ideas of the people of that Empire; and living as we did in ignorance of those prejudices, there were, perhaps, many dangers the extent of which we failed to appreciate. If, then, by means of the proposed Committee, we could convince the people of India that we wished to treat them with perfect justice, and to avoid unequal taxation, we might win them to a more thorough devotion to our rule, and thereby confer a great benefit on the whole Empire.

SIR CHARLES WINGFIELD said, that if the Indian Budget was henceforth to be laid before Parliament in the month of February, the Indian year of account must be made to agree with the calendar year. The Financial Statement of the Minister for India, in which he reviewed the results of the last year and stated the Estimates for the next, was the occasion on which the only debate of interest as to the internal conditions of the Indian Empire, arose in that House. But upon the present occasion, owing to the desire of the Government to make that Statement at an early period of the Session, they were without either of those necessary items of information. In fact, the only difference between what they knew now and what they knew in August last, was that they now had the actual instead of the estimated results of 1869-70, and a revised Estimate of 1870-1. It was said that they could not adopt the calendar, year because it would not fit in with the land revenue accounts. He did not agree with that. The land tax in India was fixed for a term of years or perhaps in perpetuity, and the amount was therefore known; the instalments were payable at variable periods in different parts of India. If the calendar year were adopted as the Indian year of account, it would only affect the first year's reckoning; after that the year's land revenue would fall into the year of account. The very same inconvenience had been got over without difficulty a few years ago, when the 31st of March was adopted as the close of the year of accounts instead of the 30th of April; and there was no greater difficulty in putting back the year three months than one. If that were done, the Indian accounts could be laid before the House with the Financial Statement and the Estimate of the current year in February. The hon. Gentleman (Mr. Grant Duff) had read extracts from an order of the Government of India, announcing a scheme of decentralization of the finances. He (Sir Charles Wingfield) had examined that scheme, and it seemed to him good as far as it went; but it did not go very far. The Government of India relinquished all control over the distribution of the sum it assigned to each provincial Government from the Imperial funds for the support of certain specified establishments and works; the local governments would submit their Estimates for these services as before, but they would be able, within the limits of the assignment, to transfer funds from one head of account to another, whereas formerly they had to obtain the sanction of the Government of India. Practically, no doubt, this sanction was little more than a form. On the other hand, the Government of India relieved itself of an immediate charge of £350,000, by reducing the aggregate grants of 1870-1 by that amount, and of all prospective charges beyond the reduced sum now granted; and as these charges related to the very objects in which increased outlay was sure to be called for—namely, education, gaols, local roads, &c.—the Government of India merely abandoned an authority it found it troublesome to exercise. The balance of advantage was clearly on the side of the Government of India. What the local governments and what Indian Reformers in this country asked for was, that after defraying the cost of their civil establishments, and having contributed *pro ratâ* to the Imperial expenditure—that was, debt, army, diplomacy, &c.—they might be allowed to spend the balance of their revenues as they thought best. In short, they asked for some control over their receipts; what they got was control over certain allotted items of expenditure. He thought, therefore, that this scheme had no pretension to be styled decentralization of the finances. He came now to the most important subject of all. He was not conscious of exaggeration when he said he apprehended great danger to the security of our Empire in India, if the course on which the Government of India appeared to have entered of imposing increased taxation by its own discretionary will be uncompromisingly persevered in. He might meet with the usual fate of those who declined to prophesy smooth things; but he might claim, without egotism, to know something of the feelings and ideas of the people of India, and, entertaining the strong convictions he did on the subject, he was bound not to remain silent. The Government of India, as the scheme to which he had just referred showed, had avowed its intention of restricting its grants from the general revenues for provincial purposes, and of requiring the local governments to raise the additional funds they needed by local taxation. Now, local taxation in England meant self-taxation; but that was not what it meant in India—there was no self-government in India. There the additional taxes would be levied under Acts of Legislative Councils in which the Natives were not represented at all. Already serious discontent and irritation had been aroused by attempts to raise new cesses and imposts. He had seen a memorial from Natives of the Madras Presidency complaining of a Bill that had been brought into the Legislative Council to raise funds for local purposes—sanitation being one—by a variety of new taxes, one of them a tax on marriages. The memorialists urged that religious observances and social customs were not fit objects of taxation. It appeared to him to be no defence of such a tax to plead, as had been pleaded by the Government, that it had been levied by Native rulers. Why, they could find justification for any enormity in the example of Native rulers; but, if they could do nothing better than reproduce the Native model of government, he did not see what business they had to be in India at all. Despots for despots, the people of India might say, give us our countrymen. Again, after the 30 years' settlement had been concluded a road cess had been imposed by an Act of the Legislature; and in Oudh, where cesses for education had been provided, it was now sought to double the amount. That he regarded as a departure from engagements on the part of the Government. He was aware of the argument on which those impositions were defended—namely, that promises of the Executive Government could be overriden by Acts of the Legislature. That argument would be of more force if the people were represented in the Legislature; but, composed as the Legislative Council was of members of the Executive Government and Government nominees, mostly servants of the Government, the Government, in accomplishing its objects through such a legislative body, made itself judge in its own cause. It was well observed by a Member of Council, in the Papers on education recently presented to Parliament, that—"We have no standing ground in India save brute force if we forfeit our character for truth." He (Sir Charles Wingfield) therefore held strongly that if they sought to impose additional taxation for local purposes, they could only do so safely with the co-operation of the people. To that end councils should be established at the seat of each provincial government, composed mainly of leading members of the landed and commercial interests. The representative element should enter into their constitution, and without their concurrence no new taxes should be imposed. No one could fail to perceive that there was a great and growing demand among the upper and educated classes, who were the leaders of Native opinion, for some voice in the management of their affairs, especially in the matter of raising and spending new taxes. It was useless to attempt to wring more money out of a poor people — they only further impoverished them—they must trust to time, and the effects of works of public utility, to enrich the country, and in the meantime they held the great source of increased income in the future, the share in the rental of land. The hon. Gentleman (Mr. Grant Duff) remarked last Session that representative institutions were not yet for India. He (Sir Charles Wingfield) did not seek to transplant the British Constitution there; but there was surely a middle course between full-blown representative government and altogether refusing to consult the people on the matter, nearest and dearest to all people, the raising and spending the revenues they had to contribute. They must, moreover, bear in mind that there was in India an active and widely-diffused free Press, English and Native; and that there were facilities for higher education, of which the people eagerly availed themselves. Thousands now read with interest in the newspapers the reports of the debates on Indian subjects in that House, and of the political events happening in Europe; and every year, as knowledge and enlightenment spread, the people grew less disposed to submit without murmur to taxation, which they regarded as oppressive and unjust, or as a breach of promise on the part of the Government. If their complaints and remonstrances were unheeded, the sense of wrong would rankle in their breasts, to find vent some day—not in insurrection, for the power of the British Government was felt to be overwhelming, but in passive resistance to taxation, a form of opposition which would be far more embarrassing to the Government, for they could not issue coercive processes against a nation of 150,000,000. The hon. Gentleman attributed the unpopularity of the income tax to the oppressions of unscrupulous Native collectors. But that was the fault of the Government. From ill-judged economy they would not allow an efficient special establishment for the collection of the tax, and the duty was devolved on the overworked collectors and their deputies, and these were obliged to leave it to underpaid Native assessors, who extorted money from the poor and ignorant classes under threats of assessing them for large sums, and distraining their property in default, while many landlords re-couped themselves the amount of the tax from their tenants. He (Sir Charles Wingfield) hoped his remarks would not be understood as made in a spirit adverse to the Home Government. On the contrary, he attached the highest value to the Government by a Secretary of State in Council. He knew that complaints had been made of undue interference with the Governor General on the part of the Secretary of State. He did not sympathize with those complaints at all; so far from it, he considered that in every case that had come to his knowledge where the Secretary of State had modified or annulled the acts of the Governor General, his interference had been exercised for the public advantage. For instance, Lord Halifax had overruled a law making failure in a contract to deliver agricultural produce a criminal offence; and the present Secretary of State had disallowed two laws, one introducing the metric system, and the other the Contagious Diseases (Women) Act. It was most fortunate that there was an authority in this country to prevent the consequences of such empirical and *doctrinaire* legislation. It was worthy of notice, too, that this complaint of undue interference was never made by the people of India, who highly appreciated the controlling authority of the Secretary of State. And, when Lord Halifax resigned office he received addresses from the Native inhabitants of all Presidency towns, thanking him for the care and protection he had extended to their interests. The right hon. Member for Shoreham (Mr. S. Cave) laid it down as a profound political maxim, that India must be governed in India. If that merely meant that the initiative should rest with the Governor General, he (Sir Charles Wingfield) had no objection; but if it meant that the proceedings of the Governor General were not to be subjected to watchful supervision and control by the Secretary of State he entirely dissented from it. He could conceive no greater danger to our Empire in India than that the impression should prevail among the people that the Governor General must be supported at all hazards, and that there was no remedy against hasty and unjust measures. He was convinced that the decision of the late Secretary of State (Sir Stafford Northcote), restoring the kingdom of Mysore to its Native Prince, after repeated refusals by former Secretaries of State, had done more to inspire confidence in the Home Government and to unite the Natives of India by the bonds of attachment to this country than all the money they had spent on railways and canals had accomplished. The truth was that this maxim was first laid down at a time when there were no railways, no telegraphs, and when education was in its infancy. It was now quite antiquated. He heartily thanked the right hon. Gentleman at the head of the Government for having acceded to the request for a Committee of that House on the financial administration of India. He assured him that the announcement would be received with satisfaction and gratitude throughout India.

Mr. EASTWICK said, that, before adverting to the Statement they had just heard, he wished to express his belief that the course adopted by Government this Session with respect to India must be satisfactory to the people of India, and to all those who took a real interest in that country. He hoped that the appointment of a Select Committee to inquire into everything connected with the finance of India would go far to remove the impression—that most mistaken impression—that Parliament was really indifferent to the interests of India. That delusion would, he hoped, be further dispelled by the day for making the Indian Financial Statement having been changed from the very end to the very beginning of the Session. By a happy coincidence, although the financial year was not concluded, the alteration had not deprived the hon. Gentleman of the opportunity of making several important announcements. It might be otherwise on the next occasion, and it would, perhaps, be better that the Statement might be more complete, to appoint a day somewhat later in the Session—say, towards the end of June—for the Indian Budget. For this time, at least, nothing could be more felicitous than the alteration; and he hoped the people of India would now be disabused of the idea that there was, or had been, any real indifference on the part of Parliament towards them, except that which was not indifference, but rather an inability to act, on account of the overwhelming pressure of home business. He hoped the Anglo-Indian Press would put this matter in its true light; and would, at the same time, make the people of India understand how impossible it was for a nation that had to pay £26,000,000—much more than a third of its Revenue—for the interest of its own debt, to encourage the remittance of capital to India by way of Government loans, so as to increase the debt of that country, all of which, but 9 per cent, was already owing to England. There were a number of matters in the statement they had just heard to which he would like to advert. First, there was the important Resolution of December 14, 1870, on the decentralization of finance. It would be admitted that that Resolution was, at all events, a step in the right direction, because it would obviate the mistakes and delays which occurred in the mode of dealing with the representations of the local governments with respect to the 10 departments of expenditure to which it referred. Next, the sum allowed to the local Governments were stereotyped. Now, it was absurd to suppose that their wants could be stereotyped too, and would always remain represented by the exact sum of £4,688,711. Why, the wants of Bengal alone, in future years, for gaols, registration, police, education, and, above all, for roads and miscellaneous public improvements, might come to amount to that sum. How, then, was the deficiency to be made up? In his judgment, the better course would be for the Supreme Government to take such taxes as must be uniform throughout the Empire—say, customs, salt, opium, liquor tax, and a due proportion of the land revenue—and to say to the local Governments—"Take the rest, and make the best you can of them." That would greatly increase not only their responsibility, but also their motives for economy, which, as they were told in the second paragraph of the Resolution, were now too few. He came next to the announcement made in the third paragraph of the Resolution, and which, he feared, unveiled the real reason for making these changes. It said that "existing Imperial revenues will not suffice for the growing wants of the country." And again, in the eighth paragraph, they read that—

> "The relief of the Imperial finances has been a prncipal object in the discussion of measures for enlarging the powers of the local governments."

It was quite clear, then, that the Supreme Government found itself overburthened, and was shifting its difficulties on to the subordinate governments, which was like cutting away the trunk of a banyan tree and leaving the immense weight of its branches to rest on the suckers. He hoped the Supreme Government would not rely on any such prop, but would take the only safe means of planting itself firmly by reducing its enormous expenditure. Now, it seemed to him that there were at hand, two important means of effecting something like adequate reductions. The first, by re-establishing the local European Army for India, with long service engagements, and a very much smaller number of officers. He would not go into the question of the comparative merits of the late East India Company's European regiments. At all events, they did the work required of them in conquering India, and there could be no doubt that similar regiments could perform the much easier work of retaining it. Recruits for such regiments would cost less than £40 each, whereas those for the Imperial forces cost £100. Such regiments would be sufficiently officered with 20, instead of 33, officers. Indeed, as the Native regiments, which he supposed required more leading than Englishmen, had only seven officers, he could not understand why such regiments need have even 20. Then look at the expenditure on account of the Army and military works for the last four years, ranging between £175,000,000 and £185,000,000, and judge whether that expense could be borne out of an available Revenue of only £27,000,000, which was all the Indian Government had to deal with as they pleased. Other enormous savings might be made by the reduction of the Native Army to two-thirds its present force, and by obtaining from the Native States their fair quota of the expense for defending the Empire. At present, with the revenues of only a part of India, they defrayed the expense of defending the whole. One of two things ought to be done—either those States should disband their forces and maintain order with police, or they should be made responsible for the security of the country, and we might withdraw the troops which were now kept to watch their armies. Another way of reducing the expenditure would be by the introduction of Native gentlemen of rank into the higher civil appointments. He would ask, why should they be paying £2,250,000 to mediatized Princes, and, as they had been called by a Secretary of State, "titled stipendiaries," without obtaining from them any service in return? Why should they do this when many of them were capable of rendering good service to the State, and loathe their enforced idleness? Why, he (Mr. Eastwick) received a letter a few days ago from an Indian Prince, who, for the last quarter of a century, had been spending his income at Bagdad, and had always maintained a character worthy of his high rank, and had been thanked by our Government for his voluntary and gratuitous services in the Persian War. He was most anxious to be employed in his Native country. If he were so employed his large income, which was now spent abroad, would be spent in India, and the Government would derive advantage from his abilities and his great influence among his countrymen. And, no doubt, there were many pensioned noblemen and others who would gladly be employed for a moderate, perhaps, even for a nominal, salary. He thought that, when they remembered the gloomy anticipations which existed about a year ago as to the accounts of the year 1870-1, they might be glad that the out-turn had been as good as it had proved. But the element of chance was too conspicuous in the result to make it very satisfactory. The great success had been in opium, and an opium success was one that rather sobered than intoxicated his mind. He (Mr. Eastwick) would rather turn to the progress in the Orissa Irrigation Works, which had cost £1,043,698, and were now irrigating 100,000 acres. That was a legitimate cause for satisfaction. He was glad to learn, too, from private letters, that the Native Princes were strenuously engaged in the construction of irrigation works, as, for instance, the Rajah of Ahmedmyar, in the collectorate of Ahmedabad, who had lately expended about £40,000 in the construction of irrigation works, with an anticipated return of from 7 to 10 per cent. He was not going into the accounts, as he had hardly sufficient data wherewith to criticize them; but there was one point he could not forbear mentioning. He found a number of sums entered in the expenditure under the head of "Sundry Items." He had taken the trouble to add them up, and they amounted altogether to £404,379. Surely that was too large a sum to pass under such a heading, and details ought to be given. There were several matters on which he wished his hon. Friend had given them fuller information. Such was the Board of Agriculture and Commerce. He hoped that, when established, it would supply information why the agricultural produce of India was comparatively so small. Judging by the land revenue, that it might be estimated at £60,000,000, or, at most, £70,000,000; this, compared then with the agricultural produce of France or of Ireland, was in proportion very small. Another point was the small-gauge railroads, which, he understood, had been decided on, and one of which was to connect Mooltan with Kurrachee. Such railroads could be made very cheaply, but he apprehended that advantage would be counterbalanced by the disadvantage of having to break bulk. Lastly, he should like to hear something of the Princes and Chiefs who were drawing pensions from us. He should be glad to learn that some of them had been recommended to visit this country. The young persons among them ought, for two or three years, at least, to study in this country. They would get instruction here which would be of great value to them in India. The young Rajah of Mysore, for example, ought, in his opinion, to be sent to England for a time. On all these points he should be glad if his hon. Friend could supply them with information. He desired once more to express his satisfaction at the course taken this Session by the Government with respect to Indian finance.

Mr. DICKINSON said, he was anxious to point out that this was the first occasion on which the results of canal irrigation had been included as part of the land revenue. He thought it very undesirable to mix up the land revenue with railways, canals, or any works of that kind, believing that the capital expended upon reproductive works, and the income which this produced, ought to be shown clearly in the accounts. He had put an Amendment upon the Paper; but, after the Statement they had heard, and finding that its result would be rather to limit the range of discussion, he did not propose to move it. There were in that House hon. Gentlemen who were, or who had been, connected with different Departments of the Indian Government, and some who had visited India in connection with the Civil Service, with professions, or with trade, and thus acquired a knowledge of the country, but there was not one who could say that he represented the people of India, or that he was thoroughly acquainted with their views and aspirations. There being, therefore, no actual representatives in Parliament of the people of India, this country, as the governing Power, was bound to give the benefit of the doubt to India, whenever the interests of the two countries came into collision. Why, then, he would ask, should we not bear our proportion of Indian charges instead of seeking to throw an undue burden on India itself? What would be said by Australia or Canada, if we proposed to inflict upon either of these Colonies an annual charge for ships of war cruising upon their stations for the protection of our own commerce? And if, without risk of a separation, we could not attempt such a charge upon Canada or Australia, how could we justify it in the case of India? It was, no doubt, necessary that commerce in the Indian waters should be protected; but, in this, English interests were quite as much concerned as Indian interests; but the division of the charges was not proportionate. Moreover, it should be remembered that the relations of the two countries was very different from what it was when India was governed by the East India Company. At that time the Company had to bear every charge connected with the home control of its Government. It was impossible that that traditional policy could be preserved under the present state of affairs. On the part of England, the greatest commercial nation in the world and mistress of the seas, the policy of placing this burden on the Indian Government was both niggardly and unjust; and when the proper time came he should press the subject on the consideration of the Committee. They were now concerned in a hurried consideration of the Indian accounts, and, therefore, he thought it would not be convenient to press the general question at that moment. Still, he would remind the House that if our rule was to be continued in India it could only be maintained by governing the people of India in the spirit of equity and justice.

Nearly three-fourths of the people were under English rule; we were in the position of the dominant power—yet we had never hitherto laid down with clearness what were the principles which were to guide our administration of affairs. A noble responsibility rested on us in determining the future destiny of that great Empire. He regarded any foreign attack on India as quite out of the question—our frontier was well protected by natural boundaries, and he had no fear of the Russian progress towards India; and, consequently, internal peace alone was required for the development of its resources. At present, of course, we could not give representative institutions to India, but this might be done at some future time. Education ought to be freely imparted to all classes, and the condition of the people elevated morally and socially. It was highly desirable that a decision should be come to as to the future language of the country, his own opinion being that English might be brought into general use. But at present he would not enter into the details referred to by the hon. Gentleman.

MR. C. B. DENISON congratulated the Under Secretary of State on having made his Financial Statement thus early in the Session, in accordance with the wish expressed by the Committee last year; and hoped that in future it might be found practicable to make up the Indian accounts on the 31st December in each year. At the same time he must admit that it would be attended with a certain degree of inconvenience, because complete information on many details could not reach this country in time. While hoping that the scheme of financial decentralization, which had been submitted to the House in the form of a despatch, would be successful, he feared it would involve an addition to local taxation of burdens which it was found inexpedient to couple with Imperial taxation. He had glanced over the Financial Statement that had reached this country by telegraph, and there were one or two points on which he desired to say a few words. He observed that £2,000,000 of the anticipated revenue was jumbled together under the head of "Miscellaneous." He hoped that in due time they would receive a statement explaining the exact character of the various items. He also observed that there was a serious diminution in the estimated expenditure for education. It was only £540,000, for the current year, instead of £750,000—a point that required explanation; it might be that part of the expenses had been relegated to the subordinate governments. Under the head of assessed taxes he found that there was an increase of nearly £1,000,000. They had been indulged by the hon. Gentleman in a hope that the 7½ per cent income tax would be reduced, but he must confess to feeling very doubtful whether that anticipation would be realized. The hon. Gentleman, in reviewing the financial administration of India since the days of Mr. Wilson, had characterized it as a period of experiments and suggestions. The retrospect was to him (Mr. Denison) very unsatisfactory—it seemed to him that these experiments and suggestions were such as were generally understood under the maxim *fiat experimentum in corpore vili*. He had always been of opinion that more than half the difficulties of Indian finance had been difficulties of audit more than anything else; and had there been a definite system of audit and of accounts much inconvenience would have been avoided. When the income tax was doubled, instructions were sent to every officer to reduce his expenditure, without delay, to the lowest amount possible; and a chief engineer reported that it was impossible for him to keep his expenditure within the grant, except by postponing the charges of that year to the next. A system under which accounts could be postponed from one year to the next must lead to financial difficulty and embarrassment. He anticipated good results from the inquiries of the Select Committee.

SIR FRANCIS GOLDSMID said, he wished to take this opportunity of calling attention to the step recently taken by the Secretary of State for India in establishing a College for Civil Engineers, a step which appeared to him (Sir Francis Goldsmid) directly opposed to the whole course of recent policy adopted by the Government and approved by the House. Appointments in the Civil Service of India had been thrown open to public competition. Haileybury College, where formerly young men intended for that service were educated, had been abolished; and now this new College was established, education at which was to be a necessary preliminary to young men entering as civil engineers the service of the Indian Government. Could a more retrograde step be imagined? It was said, indeed, that admission to the College was to be open to public competition. But it was to be open only to those who could afford to pay £150 a-year for three years. Before the establishment of County Courts, when it cost £30 or £40 to recover a debt of £10, the reply to the remark that the King's Courts were open to all the King's subjects, used to be—" So is the London Tavern to all who can pay the bill." The new Civil Engineering College was to be open to all on the same principle. The reason alleged by the Government for a measure so strangely contrary to all that had of late years been done, was understood to be that without it civil engineers for the service of India could not be obtained. And to prove this, it was stated that at the recent examinations the number of competent candidates was quite insufficient for the exigencies of the service. But the reason for this failure was not far to seek. The Government had offered to the approved candidates no more than £240 a-year. Not only was this remuneration too low to attract young men of the qualifications required, but the Government had shown that they knew it to be too low. For, simultaneously with the establishment of the College, they had announced their intention of giving to the candidates who might be successful a yearly salary of £420 from the time of their entering the service. The Government had thus, if better candidates should hereafter present themselves, made it impossible to ascertain whether the improvement were due, as they would suppose, to the establishment of the College, or, as he should believe, to the increased rate of remuneration. If, said Bentham, you desire to persuade yourself that a measure of no real utility is extremely useful, adopt it at the same time with some highly beneficial measure. If you wish to learn its real value, try it alone. If you want to convince yourself that saw-dust is a drastic medicine, mix it with jalap. If you desire to know its actual efficiency, swallow it in water. The Secretary of State for India was mixing the saw-dust of his College with the jalap of a nearly doubled salary. If the Government were determined to proceed with the establishment of the College, let them at least show their confidence in its usefulness by allowing young men who had been educated elsewhere to compete with their collegians. But even this had hitherto been refused.

Sir DAVID WEDDERBURN said, that the Motion of the Prime Minister yesterday made it quite unnecessary to trouble the House with any particulars as to the anomalies and abuses of Indian financial administration, which were only too patent. The financial history of British India, like that of the Second French Empire, was a chronicle of deficit and debt, with occasional illusory surpluses, obtained, for the most part, by crediting special windfalls to current ordinary income. The inquiries of the Select Committee would go far to remedy the worst of these financial abuses, as would also the creation of the new Department of Revenue, Agriculture and Commerce. But, after all, finance proper was only one of the many subjects urgently demanding investigation at this moment in India. There was at this moment in course of signature at Calcutta a Memorial, praying for inquiry into the condition of the Native Army, the management of the Public Works Department, and the working of the income tax. He desired to draw attention to the last of these points, especially to the fallacy of the statement put forward by the Indian Government, that the income tax " does not touch the poor, but only the well-to-do-classes." Probably by this time Government had found out their mistake; he thought recent despatches showed that they had done so, and, if they had, he hoped that they would frankly acknowledge it. The usual complaints against this tax—styled " odious" by those very Members of Council who voted for it — was that it was unproductive; that it was novel; and that it was oppressive in the case of officials and other persons with fixed incomes. Every one of these objections was well founded. It was unproductive, owing to the general poverty of the country—in Bengal, out of 36,000,000, only 53,773 had incomes over £50 a-year, and this in the wealthiest Province in India; also from the difficulty of ascertaining and assessing the incomes of the few rich Native bankers and traders. It was novel, and therefore dangerous, in a country where men would endure patiently, as inevitable, almost any amount of exaction by ancient and customary methods, but regard every innovation with mingled hatred and terror. It was hard on officials and Government *employés*, who found their salaries heavily mulcted at a period when marked increase in the cost of living made a reduction of their pay peculiarly ill-timed. But while such objections as these had been more or less generally admitted, he felt certain that in this country, and in this House, it was not understood what a terrible instrument for grinding the faces of the poor was placed by this, or indeed by any direct tax, in the hands of subordinate Native officials. Some very startling facts had been brought to light by the Indian Press as to the working of the income tax in and around Calcutta. Men had been assessed and fined for non-payment—miserable ryots, whose entire property when sold did not amount to the nominal annual income on which they were assessed—perhaps not even sufficient to pay the fine, amounting to double the tax. Others, again, had paid to the assessors the sums demanded of them, "to save trouble, expense, and insult," as they said, although their incomes did not amount to half the minimum chargeable with income tax. In one village 25 ryots were assessed; and after a magisterial investigation, it was found that five might, perhaps, be liable to assessment. If such things took place at the Presidency, within sight of the viceregal palace, he asked those who know India what was likely to occur in the remote Mofussil, where no missionaries and no Press existed, and where European officials were few and far between? Nor was it only selfish dishonesty and peculation which must be dreaded, official zeal was equally oppressive, and the desire to find favour in the eyes of a supreme Government. In all Oriental countries the minor agents of Government were a terror to the people, and the favourite title given to a popular Prince or magistrate was "Protector of the Poor." It was to the sympathy of the British Parliament that the poor of India now looked for protection against this grinding tax.

SIR THOMAS BAZLEY referred to the great extension in the trade and commerce of India, since its affairs were managed by the Imperial Government, as a proof of the beneficial results which had followed from that change. In 1856 the imports of India amounted to £25,000,000, and the exports to £23,000,000. Taking the 10 years, during eight of which the new Government had been in existence, the imports were £56,000,000 sterling, and the exports £67,000,000, so that the trade and commerce of India had very nearly trebled; and there was every manifestation of increase during the past year or two. But still the increase had not been so rapid as they had a right to expect. He did not think that the public works were developed with the energy they had a right to expect. Railways and irrigation works would give an immense impetus to the vast internal commercial resources of India. He did not share in the gloomy anticipations of the future of that great Empire. He rejoiced in the appointment of the Select Committee, whose labours, he thought, would be attended with the most beneficial results.

MR. HAVILAND-BURKE observed that last year the Under Secretary laid great stress on five points. The first of these was the military reductions; but in his Statement to-night he saw very little sign of this. The second point was the reduction in the civil charges; but everyone thought they were still very greatly in excess of what they ought to be. There had been a reduction in the charge for public works, and amongst other items was that of irrigation; but this, he thought, was rather to be regretted, for expenditure of this kind was, or ought to be, reproductive. The people would never believe that there was an economical administration in India so long as there were great charges amounting, as one hon. Member said, to £2,000,000, which were almost altogether unaccounted for. It was assumed that the present rulers of India were superior to the former rulers; but there might be a difference of opinion on that point, and it might be maintained that 150 years ago India was in a better condition as to material prosperity than at present.

SIR JAMES ELPHINSTONE said, that as the Government had moved the appointment of a Committee, it was unnecessary at present to discuss Indian financial questions in that House. He would suggest that the inquiry should be divided into two heads, the one being revenue and the other public works; and in that case the investigation might be concluded in a reasonable time.

MR. MACFIE said, that in listening to the statement of the Under Secretary of State he had been struck by the absence of any reference to the Indian Council; and he thought that this omission might possibly provoke the inquiry whether that body was really in existence. Complaint had been made of the want of public interest in Indian affairs; but the only way to excite interest was to increase knowledge of the subject, and to do that it would be advisable to admit the public and reporters to the meetings of the Council, and allow Members of Parliament to be unpaid members of it. He concluded, from the Statement that had been made, that the whole charges of every kind upon the people of India were less than 6*s*. 8*d*. per head, and that the proceeds from land and opium provided revenue for the whole cost of the administration—so that the people generally were taxed only for reproductive works. He trusted that economy would not be sought at the expense of the Army or Navy.

MR. GRANT DUFF reviewed at some length the various opinions that had been expressed during the course of the debate.

Motion *agreed to.*

Resolution to be reported upon *Monday* next.

House adjourned at a quarter after Twelve o'clock, till Monday next.

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HOUSE OF LORDS,

Monday, 27*th February*, 1871.

MINUTES.]—SELECT COMMITTEE—Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod, The Earl of Kimberley *added.*

PUBLIC BILLS—*Second Reading*—Pauper Inmates Discharge and Regulation (16).

Third Reading—Provisional Order Bills (Committees)* (25), and *passed.*

PAUPER INMATES DISCHARGE AND REGULATION BILL—(No. 16.)

(*The Earl of Kimberley.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE EARL OF KIMBERLEY, in moving that the Bill be now read the second time, said, he would take the opportunity of entering more largely into the question of vagrancy than was necessitated by a simple exposition of this measure. Those who had attended to the question were probably aware that scarcely any subject had occupied to a larger extent the attention of the Legislature. The first statute was of as early a date as the 14th century, having been passed after the great pestilence. Its object was to punish or discourage vagrancy, and it enforced the principle that every able-bodied poor man must labour for his living; and it contained a provision that no person, on the colour of pity or almsgiving, should, on pain of imprisonment, give anything to encourage vagrants in their slothful disposition. This showed that our forefathers considered indiscriminate charity as one of the most fertile causes of vagrancy. The other statutes, of which an interesting synopsis had been given in a lecture by a Poor Law Inspector, were not of so lenient a character. The stocks, bread and water, corporal punishment, the pillory, cutting off the ears, branding with a hot iron, slavery, transportation, and hanging had been tried at various periods; and when these cruelties were abandoned, we had been content to employ the milder punishment of the treadmill or the tramp-ward. Recent legislation had been chiefly based on an Act of George IV., which, with few amendments, had remained the principal statute on the subject. In 1864 an important measure was passed, known as the Houseless Poor (Metropolis) Act, the chief object of which was to increase the accommodation provided for that class, and to charge the expense of their lodging and maintenance on the "common fund" of the metropolis, instead of on the several parishes or unions. It was, no doubt, a useful Bill; but it was one-sided, looking rather to the benevolent treatment of the vagrant than to the repression, as far as was consistent with
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humanity, of vagrancy. The result, therefore, as might be expected, was an immediate and considerable increase in the number of vagrants relieved in the metropolitan workhouses. In May, 1864, prior to the operation of the Act, the nightly average was 612; in May, 1865, it rose to 1,106, and in May, 1866, to 1,203. Now, there was some misconception in the public mind as to the existing number of vagrants. The number actually relieved in the workhouses of England and Wales was not so large as was popularly imagined. Taking the night of the 1st of July, when it was usual to take a Census, the number relieved in 1866 was 1,086 in the metropolis, and 4,075 in the rest of England and Wales. In 1867 the numbers were 1,573 and 5,248 respectively; in 1868, 2,085 and 7,946; in 1869, 1,802 and 6,692; and in 1870, 1,760 and 6,630. Taking the 1st of January, the numbers in 1866 were 1,501 and 4,469; in 1867, 1,452 and 5,027; in 1868, 1,673 and 6,129; in 1869, 1,802 and 7,020; and in 1870, 1,627 and 5,430. These figures showed that as the country had recovered from the commercial depression there had been a considerable diminution in vagrancy. They did not, however, show the whole number of vagrants in England and Wales. As far as could be ascertained by the police, the whole number on the night of the 1st of April, 1867, was 32,528; and in 1868, 36,179. No later Returns had been published; but it was believed that such Returns would show a diminution corresponding with that exhibited by the Poor Law Returns. Turning to the remedies which had been suggested to meet this evil, he would first allude to the proposal that the relief of vagrants should be entirely in the hands of the police. This he, at first sight, thought would be very advantageous, for it might be expected that vagrants would have a salutary dread of the police, and that applications for relief would be discouraged. There were, however, serious and, as he thought, fatal objections; in the first place, the police would be taken away from their proper duties; and, in the next, the building of separate sets of wards in connection with police-stations would involve a considerable expense. While rejecting the scheme for these reasons, he admitted that the police might be employed with advantage as assistant relieving-officers—that was, might be entrusted with the temporary relief of vagrants. A second plan, entitled to careful consideration, was that of "way-tickets," to be given to a vagrant at one workhouse as a passport to another, in the absence of which he would be treated as a professional tramp. This, however, was not consistent with the cardinal principle of Poor Law administration—that the necessaries of life should be afforded to all persons absolutely destitute, but not to such an extent as to encourage them to live at the public expense and to discourage honest labour. Under this system, every person of good character who might set out on his travels in search of work would be entitled to food and lodging at the public expense, and this would be an encouragement to a large class of persons to subsist by such means. It would, moreover, encourage the officers of a union to give away tickets to any persons who might be likely to fall on the rates, and, while holding that every obstacle to the free migration of labourers should be removed, he doubted the policy of offering an artificial stimulus to such migration. Another difficulty was, that if vagrants were divided into two classes, honest wayfarers and professional tramps, the latter would be refused way-tickets, and would yet be punishable if they slept in the open air or in outhouses or farm buildings. A respectable person, on account of nobody knowing his character, might thus be refused a ticket, and consequently be unable to obtain shelter. Such persons would necessarily fall on private charity, which would be called forth by the knowledge that there were persons unable to obtain shelter in the workhouses. The Poor Law did not say that persons of good character should be relieved, but that all destitute persons should be relieved. He deprecated, moreover, the introduction of a passport system, the evils incidental to which on the Continent were well known. Passports were easily forged, and could always be procured by the dishonest; while a respectable man was sometimes unable to procure them. The object to be kept in view was to err neither on the side of humanity, nor on that of severity; but this system would err in both directions—in the latter as regarded the honest wayfarer, in the former as regarded the professional tramp, who would be liable to imprisonment as a rogue and vagabond. He ventured to say that the magistrates would not carry out such a law. It was better to adhere to the system hitherto pursued, with such ameliorations as appeared advisable. One of the defects of the present law was that the Poor Law Board had no power of securing uniformity of treatment as regarded food, lodging, and the labour test. Nothing could be worse than what now happened; that the treatment was comparatively inviting in one Union and deterrent in another. The object of the Bill was first to deal with a class which, though not vagrants, were of a similar class—namely, paupers who were in the habit of taking their discharge from the workhouse, and after a very brief interval of returning to it. It not unfrequently happened that inmates—generally persons of bad character—left in the morning, passed the day in immorality or crime, and returned in the evening. The Bill consequently provided that if a pauper, who had not previously discharged himself within one month, gave notice to leave the workhouse he might be detained, by order of the guardians, for 24 hours; that if he had discharged himself once or oftener within a month, he might be detained 48 hours; and that if he discharged himself more than twice within two months, he might be detained 72 hours. Nobody conversant with the administration of the Poor Law would object, he thought, to this regulation. With regard to vagrants, they had a great objection to being detained in the workhouse beyond the single night they slept there. The Bill provided, not only that they should not be entitled to discharge themselves before 12 o'clock, and before they had performed their allotted task, but that persons who at frequent intervals habitually entered the workhouse should not be entitled to discharge themselves before 9 a.m. of the third day after their admission. This, it was believed, would prove a considerable check upon such practices. The 6th clause enabled the Poor Law Board to issue orders securing uniform diet, lodging, and work throughout England and Wales. By the 7th and 8th clauses any vagrant absconding from the casual ward before he is entitled to discharge himself, would be dealt with as an idle and disorderly person under the Act 5 *Geo.* IV., c. 83, s. 3; and anyone who has been previously so convicted, or anyone who shall wilfully destroy his clothes, or injure the property of the guardians, was to be dealt with as a rogue and vagabond under the 4th section. The 10th clause provided that where, as in the metropolis, an Asylum Board existed, it might be intrusted with the carrying out of the Bill. The object in view was that where, as in large towns, separate establishments might be built for vagrants, where they might be relieved at smaller cost, and where a separation might be made between the professional tramps and other vagrants, the Boards which under a recent Act managed Asylums for the sick and other classes might manage the vagrant wards, thus avoiding a needless multiplication of Boards. The uniform treatment which the Poor Law Board, if the Bill passed, intended to secure, the separation of the vagrants into two classes, the sufficiently severe task of work, and the power of detention would, he believed, prove great improvements in the present law, without introducing that excessive severity which defeated its own object by stimulating indiscriminate almsgiving.

Moved, "That the Bill be now read 2ª."—(*The Earl of Kimberley*).

The Earl of CARNARVON said, that he would reserve the discussion of the details of the Bill till the next stage, but having had some experience of the issue of way-tickets, especially in his own county of Hampshire, he would make a few remarks on what the noble Earl had said in reference to that subject. The promoters of that system had urged it as a provisional measure, in the hope that the Government would take up the question. They had been placed in considerable difficulty. Vagrancy had been increasing for many years, and each county had been more or less thrown on its self-defence. In this position the system of way-tickets was, he believed, the best; but he was glad that the question was likely to be made the subject of legislation for the whole country, with a view to a uniform system. As for the hardship apprehended by his noble Friend, to those who for various reasons might be unable to obtain tickets, such persons would be treated just as tramps now were, and would be deprived of the advantages to be enjoyed by the honest wayfarer. The system had been in force in Gloucestershire, and one or two other counties, and he was not aware that tickets had been forged in a single case. He doubted, indeed, whether it would be worth while on the part of anybody to forge them. As to the system encouraging vagrancy, the best reply he could give was that during the last few weeks it had been in operation in Hampshire, and had almost cleared the county of that class of professional tramps. He agreed with his noble Friend in the propriety of detaining vagrants till noon, for he believed nothing would be so much disliked by them as interfering with their habits and throwing them out of their plan for the day. Under the ticket system the honest wayfarer in search of work obtained the privilege of a slightly better diet, was insured food and lodging at the different workhouses along the route, and in a few days was passed out of the county, and so far expedited on his journey. There was no chance of repressing vagrancy, unless the public were satisfied that every fair provision was made for the honest wayfarer, for they would otherwise indulge in indiscriminate almsgiving and thus encourage professional vagrancy; but if the public would determinedly support the movement he thought satisfactory results might be brought about. As far as he was yet acquainted with the provisions of the Bill he was disposed to concur in most of them.

THE DUKE OF RICHMOND said, he entirely concurred in the Bill to which the noble Earl had asked them to give a second reading. At the same time, he must point out to his noble Friend (the Earl of Carnarvon) that no scheme could be effectual which was not applied to the whole country. It would be very unsatisfactory to have way-tickets in one county and not in another. He cordially approved the Bill, especially the power of preventing the worst class of paupers from leaving and returning to the workhouse as frequently as they chose. As to the statistics quoted by the noble Earl on the subject of vagrancy, he understood his noble Friend to infer that vagrancy was on the decrease. Now, so far as his own experience went, it was steadily increasing—of late, indeed, to an alarming extent; and he would ask whether the latest Returns showed a decrease as far as the whole kingdom was concerned?

THE EARL OF KIMBERLEY explained that with an improved state of trade the number of vagrants fell from 7,946 in 1868, to 6,692 in 1869, and 6,630 in 1870; but he had not wished to draw any inference as to a steady decrease of the evil.

THE MARQUESS OF SALISBURY said, he was not about to take that occasion for criticizing the Bill. He wished to observe that it was a great inconvenience to the labouring class that they could not travel at an expense in any degree corresponding to the advantages enjoyed by other classes. He believed that honest vagrancy would be materially diminished by a slight alteration in railway law. It would be easy to carry labouring men about from place to place at very trivial charges, either by trains specially designated for the purpose, or even by goods trains, at all events with much less danger and hardship than at present. This should be accompanied by the condition of their being allowed to renounce their claim to compensation in case of accident. If any person had a power of renouncing at the railway station his right to compensation for accidents, the companies could carry passengers at a very much cheaper rate than was now practicable. He believed such a provision would gradually introduce an entire revolution in the mode of travelling of the labouring class, and would remove a grievance from which they now suffered greatly, while it would almost wholly remove the existing difficulty of distinguishing between the honest labourer and the professional vagrant.

THE EARL OF KIMBERLEY said, he was much obliged to the noble Marquess for the suggestion, assuring him that the point had not escaped the attention of the Government, though not in connection with the present Bill. The Board of Trade had a plan under consideration last Session. He did not go so far as to think that railway companies should be allowed to kill as many labourers as they pleased.

THE MARQUESS OF SALISBURY said, they would have the option of renouncing claims to compensation or not.

THE EARL OF KIMBERLEY thought that practically they would have no chance; they would either have to go at very inconvenient hours and at high fares, or accept this onerous condition. He did not think such a provision would be popular, and he was sure it would not be adopted by the Government. He admitted, however, that the law required some revision, and, without speaking for the Government, it had always been his opinion that in case of cheap trains, there should be a reasonable limit to compensation, thus enabling railway companies to offer cheap fares without being exposed to exorbitant claims.

Motion *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

DUCHY OF LANCASTER.—QUESTION.

THE EARL OF HARROWBY asked the Chancellor of the Duchy of Lancaster, Whether he would have any objection to lay upon the Table of the House a Return of the Items of Receipts and Expenditure of the Duchy for the Year 1870? The noble Earl said that very recently a right hon. Baronet had, in "another place," made a charge of extravagance and corruption against the management of the Duchy. The imputation met with very little consideration on the part of the noble Lord the Chancellor of the Duchy, and that, as he had been happy to observe, the charge of corruption had been distinctly withdrawn. Such charges, however, left a sting behind them unless they were directly met by persons conversant with the matter, and as the management of a Public Department was in question, he would ask the noble Lord to place on the Table a Return of the Receipts and Expenditure of the Duchy for 1870. There was a high officer at the head of the Duchy, who was frequently a Member of the Cabinet, and there was a Vice Chancellor, who exercised important functions in one of the most populous parts of the country. The expense incurred in its administration must not, therefore, be measured by the same standard as other landed estates.

LORD DUFFERIN: It is impossible for me at once to comply with the noble Earl's request, inasmuch as the accounts of the Duchy for the past year have not yet been closed and audited. As soon, however, as this is completed they will in due course be presented to both Houses of Parliament. The noble Earl's purpose will, perhaps, be equally well served if I take the opportunity of communicating to the House the chief items of receipt and expenditure on behalf of the Duchy during the year 1869, which do not greatly differ from the corresponding items of the past year. I do so with the greater pleasure, because I am certain that a very few words and figures will completely rectify the misapprehensions to which the observations of a right hon. Gentleman (Sir Robert Peel) in "another place" may have given rise, not only among your Lordships but the public at large. Those observations were brought under my notice by a noble and gallant Earl (the Earl of Hardwicke). I felt at once either that my right hon. Friend must be labouring under some great delusion, or that his words had been misunderstood and misquoted by the reporter; for knowing, as I did, his kind and generous nature, I was sure he would be the last person in the world deliberately to prefer so grave a charge as corruption against a number of public servants who, as I can testify from my own experience and knowledge, are not excelled in their zeal for the public service and in personal trustworthiness by those employed in any public Department with which I have had the honour of being connected. I am happy to think that my appreciation of my right hon. Friend's character has been amply justified by the generous, frank, and handsome manner in which on the very first opportunity that presented itself he came forward—unsolicited by me—and at once withdrew that very obnoxious phrase, which, as he himself has admitted and as I can readily understand, has as it were slipped into his speech during the agony of rhetorical parturition. But although the characters of those immediately concerned have been completely exonerated, there may prevail in some minds a suspicion that the affairs of the Duchy have not been conducted with due regard to economy, and it is desirable, therefore, that I should proceed to explain the exact circumstances of the case. The statement made by the right hon. Gentleman was to the effect that whereas the gross income of the Duchy amounted to £50,000 a-year, only £25,000 a-year ever found its way into the Privy Purse. Now, the net revenue of the Duchy paid over to the

Privy Purse in 1869 was £31,000; and another sum appears in the accounts, which must have escaped the attention of the right hon. Baronet — namely, £7,000 placed to the credit of the Duchy as a cash balance; so that the actual amount of net revenue may be placed at £38,000. There still remains, however, between the sums of £50,000 and £38,000 a margin of £12,000, sufficient to challenge investigation and to require explanation. Of this £12,000 there is an item of £1,800 which at once disappears down the capacious throat of the Chancellor of the Exchequer in the chape of income and other taxes. That, of course, is an item which is very unpleasant, and it is one which everybody concerned, from the Queen down to the humblest clerk in the Office, would be very glad to see diminished; but it is an item on which we cannot expect to make any considerable impression. Then comes an item of £2,000 expended on the part of the Duchy in donations to local charities, subscriptions to schools and churches, and to those objects which Her Majesty, in common with every landed proprietor, feels it incumbent on her, as the owner of a large landed property, to promote. Then there comes an item of £1,000 a-year expended in annuities and superannuation grants. Upon this item, of course, no impression can be made as long as the recipients live. There is, further, a small sum of about £200 paid to the Judges, in consideration of a portion of their services given to the County Palatine. These sums, together with the salary of the Chancellor, who, being a public officer, can scarcely be regarded as receiving it absolutely in consideration of his management of the property of the Duchy, amount to £7,000 a-year. The remaining £5,000 is left for the payment of expenses, whether in the shape of land agency, office expenses, establishment expenses, connected with very important functions discharged by the Chancellor in London, the audit of the accounts, travelling expenses, estate improvements, and the expenses incidental to the exercise of manorial rights. All these complicated functions, necessitating the employment of a considerable staff of officers, are discharged for £5,000 a-year—that is about 11 or 12 per cent of the total income of the Duchy. Your Lordships' experience, connected extensively as you are with landed property, will be able to say whether, taking into account the fact that there is property of the Duchy in almost every county in England, and that its estates are dispersed over the kingdom, £5,000 is a large sum. Having thus, as I trust, satisfied your Lordships that the revenues of the Duchy are managed with due economy, I would recall your attention to the gratifying circumstance that, while on the one hand, its revenues are continually increasing, the expenses of management during the last few years have been continually decreasing, and I am in a position to state that arrangements have been made whereby, in the course of a few years, as the persons entitled to receive certain sums disappear, there will be a diminution in that item also. I would, further ask the House to remember that the post which I have the honour to fill is an office which has been held by a great number of distinguished persons, in many of whom the country has placed such confidence as to entrust them with the discharge of the highest functions of the State, with the management of the Army, the Navy, Finance, and Foreign Affairs, and that all these arrangements, so severely criticized, have passed under the consideration of each one of them, and have from time to time received such improvement at their hands as they needed. I would observe, further, that my immediate predecessor was a gentleman peculiarly experienced in the management of landed property, and possessing exceptional advantages as regards the Duchy estates, from the fact that he had conterminous estates of his own in the Duchy in the County Palatine. It is also a great pleasure to me to pay a well-deserved tribute to the permanent officer (Mr. Gooch), the Clerk of the Council, who, as the noble Earl (the Earl of Harrowby) well knows, is a gentleman of very large experience and very great ability. As everyone who has had the good fortune of coming into official relations with him must have remarked, he brings to the consideration and management of the Duchy affairs an amount of precision and conscientious labour such as, I am certain, is nowhere surpassed. Having said this much on the financial management of the Duchy, I may perhaps be permitted to say a word on behalf of the

Chancellor himself. He is popularly regarded as a fortunate personage, who, though shut out from that august Olympus where the *Dii majores* of the Ministry sit and deliberate, nevertheless enjoys in a peaceful and secluded region a kind of semi-divinity, unembarrassed and unimpeded by those weighty cares and responsibilities which engross the time and industry of his more dignified Colleagues. My own experience has not realized this picture. So far from resembling an Epicurean divinity the Chancellor of the Duchy of Lancaster seems to me to be a kind of charwoman or maid-of-all-work to the Government; at the behest of one or other of the Secretaries of the State he is perpetually being saddled with all manner of work, foreign to his office. Within my own short experience he has been employed during the whole of one year in reorganizing the military education of the Army; during another year in reconstructing the schools of the children of soldiers and in improving the education of the schoolmasters of the Army. He has very narrowly escaped being called upon to preside over the Contagious Diseases Commission, and at this moment his thoughts are, day and night, occupied with the heavy responsibilities connected with the construction of war ships. Perhaps I may better illustrate what is really the position of this supposed sinecurist if I give an account of a single day's work I had to accomplish. In the morning at an early hour I had to present myself on the seat of justice, appropriately robed, and narrowly escaping a full-bottomed wig, and there I had to sit while the Lord Chief Justice delivered to an astonished Bar what he was pleased to call my judgment on the case. As soon as these weighty matters were concluded I had to hurry off to Chelsea Hospital, and in the capacity of Paymaster General of the Forces expend considerable time in admitting pensioners to that asylum, and in considering the claims of applicants for military pensions; thence I had to go to the War Office and employ the rest of the afternoon in examining general officers and colonels in matters requiring much consideration; and after that to attend in your Lordships' House to explain the intricacies of some important piece of Irish legislation. On one occasion I had to conclude 16 hours important public service by being pilloried for a couple of hours on the Woolsack as the *locum tenens* of the Lord Chancellor of England, while a dilatory House of Commons was putting its last touches to a Bill which noble Lords opposite assured me would greatly depreciate the value of my property in Ireland. I trust that, after this explanation, we shall not hear again that the management of the finances of the Duchy of Lancaster forms a gross instance of extravagance and financial mismanagement, or that the Chancellor of the Duchy, whatever criticisms may be addressed to the individual, is a useless or unnecessary functionary.

THE EARL OF HARROWBY expressed his obligation to the noble Lord for the satisfactory explanations he had made, and hoped, with him, that the charge of extravagance and mismanagement would not be repeated, or that his noble Friend would be again considered an Epicurean and sinecurist. He wished to know, however, the occasion for the cash balance of £7,000, and what policy the noble Lord was pursuing with regard to outlying estates?

LORD DUFFERIN stated that the cash balance was placed to the credit of the Duchy to meet those charges which it was known would accrue before the revenue of the Duchy became payable. As regarded the question of outlying estates, he had continued the policy pursued by his predecessors, and had never hesitated to sell such estates whenever occasion offered for doing so to advantage, while he had been extremely cautious about purchasing property except where it so lay into Duchy property as to make its acquisition clearly desirable.

OPPOSED PRIVATE BILLS.

The Lords following; viz.,

M. Lansdowne.	L. Colville of Culross.
Ld. Steward.	L. Skelmersdale.

were appointed, with the Chairman of Committees, a Committee to select and propose to the House the names of the five Lords to form a Select Committee for the consideration of each opposed Private Bill.

House adjourned at half past Six o'clock, 'till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 27th February, 1871.

MINUTES.]—SELECT COMMITTEE—Diplomatic and Consular Services, *nominated.*

PUBLIC BILL—*Second Reading*—Education (Scotland) [17].

REVISION OF INTERNATIONAL LAW.
QUESTION.

SIR THOMAS BAZLEY asked the Under Secretary of State for Foreign Affairs, Whether it be the intention of the Foreign Department of Her Majesty's Government to promote a revision of International Law with the view of defining the external duties of nations and of their subjects?

VISCOUNT ENFIELD: Her Majesty's Government are fully sensible of the importance of defining the external duties of nations and of their subjects. They have proved this by the amended Foreign Jurisdiction Act of last Session, and by the appointment of the Commissioners who have proceeded to Washington; but, at the present juncture, they can give no more definite promise to the hon. Baronet than that the importance of this subject shall receive the fullest consideration at their hands.

IRELAND—NEW BARRACKS FOR TIPPERARY.—QUESTION.

MR. HERON asked the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to commence the building of the new Barracks for Tipperary during the present year; and whether he has considered the wealth and population of the district, and intends to build the Barracks of sufficient size and accommodation to be the head quarters of a regiment?

MR. CARDWELL: The provision to be made at Tipperary will not be founded upon consideration of the wealth and population of the district, but upon the requirements of the service. It is not intended to provide for the accommodation of the head quarters of a regiment, but only for six officers, nine sergeants, and 154 rank and file.

THE LAWS OF MARRIAGE.—QUESTION.

MR. MONK asked the Secretary of State for the Home Department, When he proposes to bring in the general measure on the Laws of Marriage, which he informed the House in the Session of 1869, that he would introduce at the earliest possible moment?

MR. BRUCE begged to inform the hon. Member that what he had stated in 1869 was that he could not, on the part of the Government, undertake to introduce a Bill on this subject in 1870; and he now begged to state that he could not, on the part of the Government, undertake to introduce a Bill on the subject during the present Session.

EDUCATION—THE NEW CODE.
QUESTION.

MR. GATHORNE HARDY asked the Vice President of the Council, If he will state the grounds upon which he has in the Revised Code increased the number of attendances of School Children from two hundred per annum to two hundred and fifty; and whether he can lay the data upon which he has acted before Parliament; the grounds upon which he has made the changes with reference to Evening Schools; and if he will lay the data upon which he has made them before Parliament; and, whether as by the Act relating to Printworks now in force children there employed are only required to attend one hundred and twenty times, and one hundred attendances qualify for examination, the New Code, which requires one hundred and fifty attendances to qualify for examination, will during this year be put in force?

MR. W. E. FORSTER had to state, in reply to the first part of the right hon. Gentleman's Question, that the grounds upon which the compulsory attendances of the children had been increased from 200 to 250 were because it was felt that the amount of attendance required from children under the old system was too small; that there could be no greater evil than a want of due attendance at school on their part; and, lastly, because it appeared from the statistics that this additional stimulus could be safely applied. It appeared from statistics obtained from the manufacturing, the sea-ports, the metropolitan, and the rural districts, that 80 per cent of the children hitherto presented for examination had attended 250 times. If the right hon. Gentleman would move for further information upon the point, he should be happy to give it to him. With regard to the night schools, several alterations had been made in the Code. Perhaps the House would permit him to explain how those schools had been dealt with. The Council of Education had come to the conclusion that the night-school system required careful revision. There were many night schools which, although doubtless of much advantage in a social point of view, were almost valueless in an educational point of view, and the Council had come to the conclusion that it would not be right to ask the House for money unless they gave substantial educational results. Under these circumstances, it had been determined to alter the mode of examinations, which, in future, would be conducted either by the Inspectors or by other officials, and not left in the hands of the managers solely. It had also been determined to allow Government aid to night schools not connected with day schools, and the amount of the grant had been considerably increased. At present all that was required was that the schools should be open on 40 evenings in the year, and that those who were presented for examination should have been present on 24 evenings, and it was felt that it was desirable that the number of evenings on which the schools should be open should be increased to 80, and the attendance required to 50. With respect to the last part of the right hon. Gentleman's Question he had to state that there were now only about 1,000 children under the operation of the Act, and probably the new regulations would be put into force with regard to them at the beginning of next year.

ARMY—YEOMANRY CAVALRY.

QUESTION.

Mr. MILLES asked the Secretary of State for War, Whether the reductions proposed last year of the number of Troops and Officers in the different Regiments of Yeomanry Cavalry are to be carried out from the 1st of April next?

Mr. CARDWELL: The new regulations for the Yeomanry made last year had in view the increased efficiency of the force, as well as some economy in the expenditure upon it. No change has been made in those regulations, and the present Estimate has been framed upon them.

NAVY—SALE OF DEPTFORD DOCKYARD.

QUESTION.

Sir HENRY SELWIN-IBBETSON asked the Secretary to the Admiralty, Whether the sale of Deptford Dockyard to Mr. Austen was completed, and the purchase-money paid, before the transfer of Mr. Austen's rights in the property to the Corporation of London; and, also, if he is aware that a very large sum was given for the site by the Corporation beyond the price for which it was sold by the Admiralty?

Mr. BAXTER: The sale of a portion of Deptford Dockyard was so far completed that the bargain had been made before the transfer of Mr. Austen's rights to the Corporation. The purchase-money, however, had not been paid, because, in the first instance, there was considerable delay in consequence of questions having arisen between the Admiralty and the Woods and Forests, and afterwards because the City of London applied to have the title direct from the Admiralty. I have no knowledge, except from common rumour, of the pecuniary arrangement which has been made between Mr. Austen and the City of London; but I do know—and I stated it to the House in May last—that the Corporation then might have purchased the property for the price given by Mr. Austen. Let me remind the hon. Baronet that when he brought forward this question last year my statement was corroborated by the hon. Baronet the Member for Greenwich, whose words were, he (Sir David Salomons) called on the Secretary of the Admiralty and asked him whether a price had been put upon it, and the reply he received was that he thought the price was £80,000, but that £75,000 might be taken. With this information he went into the City, and, failing to induce the Corporation to purchase the dockyard for their contemplated market, he tried to induce the dock companies to do so, but failed in this also.

ARMY—MILITARY EXAMINATIONS—UNIVERSITY CANDIDATES.—QUESTION.

Mr. SCLATER-BOOTH asked the Secretary of State for War, Whether gentlemen who took their degree of B.A. at Oxford or Cambridge last autumn, and were invited to go to Sandhurst until appointed to some regiment, will not be allowed precedence of those who have passed the ordinary military or any other examination since that period?

MR. CARDWELL: The University candidates are appointed to the number of commissions assigned to them without regard to relative precedence in respect of other candidates. At present the number assigned is 12 in the year, and they are appointed, as nearly as may be, at the rate of one a month.

THE EDUCATION ACT—VOTING FOR SCHOOL BOARDS.—QUESTION.

MR. R. N. FOWLER asked the Vice President of the Council, Whether, considering that the Second Schedule of the Education Act enacts that the poll of a parish shall be taken in like manner as a poll of ratepayers is usually taken, the Education Department has power to direct that in voting as to the expediency of having a Board the ratepayer is to have but one vote?

MR. W. E. FORSTER said, he conceived that to admit the principle of plurality of votes would be contrary to both the spirit and the letter of the Education Act. Therefore, the Department would not think of directing that any elector should have more than one vote.

METROPOLIS—ALBERT MEMORIAL AND THE HALL OF SCIENCE.—QUESTION.

MR. MILLER asked the First Commissioner of Works, Who signed the alteration in line of the broad walk by Speke's Monument in Kensington Gardens; and, whether the walk being made to run direct towards the Memorial of the late Prince Consort is with the view of showing how much the effect of that beautiful structure is injured by the proximity of the Hall of Science immediately to the south of it?

MR. AYRTON, in reply, said, the second part of the Question assumed as a fact that which appeared to be simply a description of the hon. Member's own feelings with respect to art. The fact was that the site for the Albert Memorial was selected in order that it might be in close proximity to the site for the Albert Hall; and the walk to which he refers was made not for the purpose of enabling people to see through, but to walk upon, from the centre of Kensington Gardens to the Albert Memorial, in order that persons might avail themselves of the ground laid down around the Memorial, for the purpose of looking at it from any point of view they might like best.

RETIREMENT AND COMPENSATION IN THE CUSTOMS.—QUESTION.

MR. MONK asked the Secretary to the Treasury, Whether it is proposed, upon the reductions in the Customs staff in London taking place, to offer the same terms of retirement and Compensation as were given in the War Office reductions; and, whether the Customs officials who shall remain are to be paid at the same rate as their fellows in west-end departments?

MR. STANSFELD said, in answer to the first part of the Question, that the Commissioners of Customs had been authorized to offer the same terms of retirement and compensation upon the reductions in the Customs staff as were given in the War Office reductions. With regard to the second part of the Question, he must say that the Treasury received from time to time applications from the clerks in various Departments for increased salaries, and in many cases they accompanied the applications with statements of salaries paid in other Departments; but however much those applications might vary in some respects, they were identical in that the applicants invariably compared their own salaries with those which were higher, and never with those which were lower. Therefore, if Her Majesty's Government were to accept the principle suggested in the Question of his hon. Friend, two things would follow: in the first place, the salaries in each Department would be raised to what is now the most highly paid Department; and in the second, as the equality of payment so arrived at would be entirely artificial and not justified by the labour performed or the qualifications required for its performance, a new crop of applications would immediately spring up. He must, therefore, give a positive negative to the second part of his hon. Friend's Question, and he would add that, in his opinion, the only true principle upon which to deal with public officials and their salaries was to pay them the full market value of their labour, always taking into account rights founded upon contracts expressed or implied.

IRELAND—CORONERS.—QUESTION.

Mr. VANCE asked the Chief Secretary for Ireland, If he has any objection to lay upon the Table of the House a Memorial which has been lately addressed to the Lord Lieutenant by eighty of the Irish Coroners, requesting that a measure may be introduced by Government on their behalf in accordance with the pledge of last Session, and irrespective of the proposed Grand Jury Bill?

The Marquess of HARTINGTON: In the first place, I must apologize for my unavoidable and unexpected absence from the House on Friday last. I have no objection to lay on the Table the memorial referred to by the hon. Member; but I must guard against the impression that any pledge was given by the Government in last Session that a measure would be introduced this Session independently of the Grand Jury Bill. The pledge, as I understood, was, that the subject of the Coroners would be included in the Grand Jury Bill to be introduced in the present Session.

BRAZIL—CLAIMS OF BRITISH SUBJECTS.—QUESTION.

Mr. ANDERSON asked the Under Secretary of State for Foreign Affairs, Whether the investigation of the claims of British Subjects against the Government of Brazil has yet been completed; and, whether there is now a prospect of their being paid?

Viscount ENFIELD: Before making any proposal to the Brazilian Government for the settlement of claims of British and Brazilian subjects, it was necessary to arrive at as accurate an estimate as possible of the amount at which the Brazilian claims could be set. This was a work of considerable labour, and was kindly undertaken by a gentleman peculiarly conversant with the questions at issue. The result of his inquiry is now before the Secretary of State, and it is hoped that instructions may shortly be sent to Brazil on this subject.

IRELAND—VACANT SEATS. QUESTION.

Mr. HERON asked the Chief Secretary for Ireland, Whether it is the intention of Her Majesty's Government to bring in a Bill during the present Session to provide for the Distribution of the Seats vacant by the Disfranchisement of Cashel and Sligo?

Mr. W. JOHNSTON asked the Chief Secretary for Ireland, If, in the event of a Bill being introduced to provide for the distribution of seats vacant by the disfranchisement of Cashel and Sligo, he will consider the claims of Dublin and Belfast to return three Members each to Parliament?

The Marquess of HARTINGTON, in answer to the hon. Member for Tipperary (Mr. Heron) said, Her Majesty's Government had not yet decided whether they would, in the present Session, be able to introduce a Bill for the distribution of the seats rendered vacant by disfranchisement either in England or Ireland. In reply to the hon. Member for Belfast (Mr. W. Johnston), he said, that in considering the question when the proper time came, the claims of cities so important as Dublin and Belfast would be very carefully considered.

EDUCATION—SUPERANNUATION OF SCHOOLMASTERS.—QUESTION.

Mr. WHITWELL asked the Vice President of the Council, Whether the Government is prepared to assist the Schoolmasters receiving Government Grants to establish a system of mutual superannuation?

Mr. W. E. FORSTER said, in reply, that the Question was a very important one, and the Education Department had very carefully considered whether it was possible for them to initiate some such system as that to which the hon. Member in his Question referred. They had found it impossible to take that step; but as there could be no doubt as to the importance of providing pensions for schoolmasters, the Government would be glad to consider a scheme for the purpose, if it could be drawn up on behalf of the managers, and intrusted to the hands, say of his hon. Friend, who had asked the Question now under consideration. They would do this the more gladly for the reason that, though they recognized the importance of the subject, the Government could not put itself in direct communication with such an immense body of men as the schoolmasters would shortly become under the operation of the Education Act of last Session.

EDUCATION (SCOTLAND)—GRANTS TO ROMAN CATHOLIC SCHOOLS.

QUESTION.

MR. DIXON asked the Lord Advocate, Whether under the last paragraph of Clause 74 in the Education (Scotland) Bill the Scotch Education Department would not have power to make Grants to Roman Catholic and other Schools that may be hereafter erected but not placed under the control and management of the School Board; and, whether this power be not inconsistent with Clauses 28 and 29, which require the School Boards to provide all necessary School accommodation?

THE LORD ADVOCATE replied that the leading enactment provided that Parliamentary grants might be made to any schools which, in the opinion of the Education Department, were efficiently conducting the secular education of the parish or district in which they were situate. To this there were two qualifications, the first being that no such grant should be made to any such school in respect of religious instruction; and the second that no such grant should be made to any school, not being a public school, established after the passing of the Act, unless such school should, after inquiry made, appear to the Department to be specially suited to the requirements of the parish in which it was situate. He would answer the last sentence of the Question in the course of the discussion that would shortly be held on the Scotch Education Bill.

FRANCE AND GERMANY—ENTRY OF GERMAN TROOPS INTO PARIS.

QUESTIONS.

MR. OTWAY: I wish to ask some Questions of the Prime Minister, of which circumstances prevented me from giving any other than a private Notice to him. I am given to understand that the state of affairs is such that it is desirable I should confine myself to putting the Questions. I wish to ask my right hon. Friend, Whether it is true, as stated in *The Times* of this morning, that peace has been agreed on at Versailles as between the Prussian Government and the French Plenipotentiaries, and, if so, whether the terms are correctly stated; the terms being these — France is to yield to Germany Alsace and Lorraine, including the fortified town of Metz, and to pay a further indemnity of £200,000,000? If that indemnity is correct, I wish to ask my right hon. Friend, whether other parts of France than the Provinces that have been ceded are to be occupied by the German troops until that debt is discharged? I wish further to ask the right hon. Gentleman, whether Her Majesty's Government, to use his own words, has been watchful, and has endeavoured, in concert with other neutral Powers, to moderate these terms, and, if not in concert with other neutral Powers, whether instructions in this sense have been given to Mr. Odo Russell? I am informed that the triumphal entry of German troops into Paris has been adjourned until Wednesday next. We have at the head quarters of the German Army at this moment a special envoy and two military *attachés* one a general officer and the other a captain of dragoons, both distinguished officers of Her Majesty's Service. I wish to ask my right hon. Friend, whether orders have been sent to these Military Officers, should the head quarters of the German Army be transferred by this triumphal entry to Paris itself, not to take part with or accompany the German troops during their triumphal entry into Paris?

MR. GLADSTONE: Sir, I will answer the Questions of my hon. Friend as distinctly as present circumstances will permit. I will begin by thanking my hon. Friend for the considerate course he has pursued in confining himself at the present moment to putting these inquiries, without entering upon a discussion which I think would have been premature. As regards the first Question of my hon. Friend, with respect to the conditions of peace, the German Ambassador was kind enough to communicate to Lord Granville and myself this morning authentic intelligence that the preliminaries of peace have been signed; but that, I believe, is the only knowledge of which we are officially in possession at the present hour. Therefore, I am not in a condition to give my hon. Friend any further information on this subject. With respect to the second and third Questions—namely, whether the Government has made any effort in concert with neutral Powers to moderate the terms of peace, and whether instructions have been sent in this sense to

Mr. Odo Russell—my hon. Friend has referred to a declaration made by myself in the House of Commons that we should carefully watch for any opportunities that might offer of being useful. With regard to these two Questions, I have to say that we have not been unmindful of that declaration; but I must beg my hon. Friend to be content with that answer. We shall not lose a moment, I can assure him, in laying before the House all the information which will place them in full possession of such steps as we have thought it our duty to take. But that information will not be complete until we have received from France communications of which we are in expectation, but which have not yet had time to arrive. I trust that in a very short period we shall be able to lay on the Table of the House Papers which will convey information on the subject. With respect to the fourth Question—whether orders have been sent to the military *attachés* at the head quarters of the German Army not to accompany German troops in any triumphal entry into Paris—there is no reason why it should not be answered at once. The general rule which is laid down in the instructions of the Foreign Office with respect to the line of conduct to be pursued by our agents abroad in cases of celebrations, which are commonly of a religious kind, is this—it is dated 1860. The instruction refers to celebrations of military success in foreign countries. It contains these words—

> "Her Majesty's Government are of opinion that the attendance of neutrals at these celebrations of successes gained in war is not desirable."

That is not the whole of the language, but that is the practical effect of it. Of course, in general, this applies to diplomatic agents, and cases of military agents would not absolutely and *primâ facie* fall into the same category. At the same time, Her Majesty's Government are of opinion that substantially the same rule ought to be observed; and, having no other desire than that of acting both according to the letter and according to the spirit of neutral obligations, they have directed General Walker and Captain Hozier not to accompany any triumphal entry into Paris. There is a precedent which I think is applicable to the case; for in the year 1859, at the close of the war waged by the Emperor Napoleon with Italy, Colonel Claremont had been *attaché* to the Italian Army, and he was directed not to enter Paris with the French Army in triumphal procession. If it was thought right that Colonel Claremont should not accompany any triumphal procession of the French Army into its own capital, I think it is manifest that it would be improper to allow any of our officers to accompany a triumphal procession of a foreign Army into that capital.

IRELAND—WESTMEATH, &c. UNLAWFUL COMBINATIONS.—OBSERVATIONS.

Mr. DISRAELI: Sir, the House is aware that a Notice was given by the Chief Secretary of the Lord Lieutenant of his intention to make a Motion of very great importance with respect to a portion of Ireland. It seems to me that it would be most agreeable to the House that no time should be lost in giving information on this subject. Therefore, I would suggest to the right hon. Gentleman that he should avail himself of the privilege of postponing the Orders of the Day, in order that that Motion might be brought under the consideration of the House.

Mr. GLADSTONE: Sir, the right hon. Gentleman was kind enough to give me notice of his intention to make a suggestion of this kind, but my answer was that I should have been very glad to accede to such a suggestion had I been in the possession of it at the time when the Notice was given. But the Government gave an engagement to the Scotch Members, and to the House in general, that they would proceed with the Scotch Education Bill as the first important business this evening. We had every reason to suppose that that measure, which has been so long delayed, and with regard to which Scotland has very naturally become eager, would not occupy any very considerable portion of the evening. Therefore, I should not feel justified in proposing, without Notice of Motion, that the Orders of the Day should be postponed. At the same time, I entirely agree with the right hon. Gentleman that it would be very inconvenient that the Motion of my noble Friend (the Marquess of Hartington) should be made except at a convenient hour. Therefore, for the purpose of obviating any possible difficulty upon that subject, and having had some information since I came down to the House as to the time which the debate on the second reading of the Scotch Education Bill is likely to occupy, and seeing that there is no other measure with which it is material for us to go forward, we shall propose the postponement of the other Orders of the Day to take the Notice of my noble Friend after the debate on the second reading of the Scotch Education Bill has concluded. If, however, that debate should not be concluded at 9 o'clock, we shall move that it be adjourned, in order that my noble Friend may make his Motion.

NAVY—CASE OF SIR SPENCER ROBINSON.—OBSERVATIONS. QUESTIONS.

Sir JOHN HAY: I wish to occupy the attention of the House for a moment in reference to the Correspondence between Sir Spencer Robinson and the First Lord of the Treasury—to the challenge which the right hon. Gentleman threw out to me to bring before the House in a distinct form the allegation respecting the suggested alteration of the dates. I immediately gave Notice that I would bring the subject under discussion, and I now wish to ask the right hon. Gentleman if he will lay on the Table a Copy of the Correspondence, in order that that discussion may take place?

Mr. GLADSTONE: Sir, it does not appear to me that the correspondence between myself and Sir Spencer Robinson is such as could be regularly laid on the Table of the House. I will not enter into the reasons, but they are various, which would prevent me from laying such Papers on the Table of the House. In regard to the matter of the correspondence, it is entirely at the command of the hon. and gallant Gentleman, and he can pursue his own course with respect to it. It is a mistake on his part to say that I challenged him to discuss the subject of that correspondence. The challenge, if such it was, was originated in this way—that the hon. and gallant Baronet seemed by his cheers to support the statement of the right hon. Gentleman the Member for Buckinghamshire, that I had wished the date of a document to be falsified.

Mr. KINNAIRD asked, Whether the Secretary to the Admiralty would state why the Minute of Sir Spencer Robinson, in answer to the Minute of the First Lord of the Admiralty, which has been laid on the Table of the other House two or three days ago, has not been laid on the Table of this House?

Mr. BAXTER said, the hon. Member was not quite correct as to the facts. The Minute had been laid on the Table of both Houses, but had not as yet been printed. It would, however, be in the hands of hon. Members to-morrow morning.

PARLIAMENT—BUSINESS OF THE HOUSE.—QUESTION.

Mr. J. LOWTHER, in reference to the appointment of the Committee on this subject, asked after what hour the question would not be brought on?

Mr. GLADSTONE: If there is any disposition to question the list of names as it stands on the Paper, I will take care that it is not brought on at an inconvenient honr.

EDUCATION (SCOTLAND) BILL.

(*The Lord Advocate, Mr. Secretary Bruce, Mr. William Edward Forster.*)

[BILL 17.] SECOND READING.

Order for Second Reading read.

Mr. GORDON said, it was essential that time should be allowed the people of Scotland for the proper consideration of the provisions of this measure. On the first day of the meeting of Parliament his right hon. and learned Friend the Lord Advocate in the discharge of his duty gave Notice that he would, on the following Monday, move for leave to introduce this Bill. This prompt action was to have been expected, because the measure was one that had been anticipated for a considerable time, and had been mentioned in Her Majesty's Speech. On the following Monday the House had the satisfaction of hearing from the Lord Advocate an explanation of the general provisions of the Bill. It appeared from that statement that the measure about to be introduced was one of very great importance, affecting the interests of individuals, of Churches and denominations, of education and religion, and, therefore, he ventured to think that even had it not contained two provisions which had not been included in any previous Bill, a considerable interval should have been allowed before the second reading was moved. But in the statement with which his right hon. and learned Friend introduced the Bill he intimated that it would contain several provisions which were not only new, but quite inconsistent with the recommendations of the Commission which had reported on the subject, and also inconsistent with the opinions of Her Majesty's Government, and with the measure which had been proposed by them in 1869. It was, therefore, the duty of his right hon. and learned Friend, when asking leave to introduce the Bill, to fix such a day for the second reading as would admit of the Bill receiving due consideration. His right hon. and learned Friend, however, proposed that the second reading should be taken on the Monday fortnight. If the Bill had been printed in due time that interval might have been sufficient for a consideration of its provisions. But what was the actual state of affairs? They waited during the whole of the first week for the delivery of copies of the Bill. During that week he saw many hon. Gentlemen, Members of the House and others, interested in the subject, visiting the Bill Office like pilgrims to some popular shrine; but the answer to all their inquiries was that the Bill was being subjected to revision. But surely with the advantages which the Government had at command, and as their Bills were printed by the Queen's Printer, they ought to be in the hands of Members immediately, or, at all events, shortly after their introduction. But the first week elapsed and there was no Bill. Then, on the Monday following, a few copies reached some fortunate individuals who had been ardently hunting them; but it was not until Tuesday that the Bill was issued; the result being that, instead of 14, or at least 10 days for the consideration of a measure of such importance, they had not more than five. Moreover, it was necessary that they should get the views of their constituents on so important a subject; but with the very insufficient postal facilities in Scotland it was impossible that that could be done in so short a time. Now he asserted that five days was a very insufficient time for the consideration of such a Bill. The cause of delay he did not know. There might, perhaps, have been some material change in the provisions of the Bill; but these ought to have been settled before its introduction; or there might have been some contest with the Chancellor of the Exchequer as to the amount to be bestowed on the Scotch people for the promotion of their education; for his right hon. and learned Friend on bringing in the Bill gave the House a glowing description of the benefits to be bestowed upon Scotland by the measure: he stated, according to some reports, that "seven" times, and according to other reports that "several" times, as much would be expended on education in Scotland as was now the case; but on examining the Bill he found that no addition whatever was made to the contribution of the Government in support of the Scotch schools. Certainly Scotch Members could not expect that more would be granted to them than the 50 per cent granted to English schools; but then it should be noted that, while the Bill professed to give a grant of 50 per cent, there were such numerous deductions that the addition to an ordinary school would appear to be more like 15 per cent than 50. Now, as he had said, he much regretted that there had not been time to receive information from their constituents. No doubt many hon. Members might reply that they were complete masters of the subject; but he ventured to affirm that it was the duty of the Scotch Members—especially when a Bill containing new propositions was brought before the House—to wait for information as to the reception it would meet with in Scotland. What that reception would be it was difficult to say; but he had observed that there was a studied reserve in the expression of an opinion on the part of the newspapers in Scotland, particularly those connected with Members on the other side. There was an exception, however;—there was one newspaper which had spoken out, and that was one materially connected with the county which the right hon. Gentleman the Home Secretary represented (Renfrewshire). That paper used some exceedingly strong expressions as to the manner in which the promoters of this Bill had proceeded—they said that their examination of the Bill had served to confirm their original impression both as to its merits and demerits, and especially as to the sweeping nature of the change it proposed: that the entire Scotch principle of education had been altered, and there remained a spick-and-span new system carefully divested of every national peculiarity. The question, however, was—What is the Bill we now have to consider. It contained many provisions which he (Mr. Gordon) highly approved. It provided for the establishment of a system of education in burghs where a great deficiency existed at present. It also provided for the establishment of evening schools and industrial schools; and that, too, he approved. He felt great difficulty, therefore, in taking any course which would have the appearance of a Motion for the rejection of the Bill on the ground of principle. At the same time, as the Bill contained some provisions which were novel as regarded Scotland, and opposed to the conduct of Government on former occasions, he thought it a question worthy the consideration of the House whether there should not be some delay with regard to the second reading. He held it to be of the greatest importance that there should be a discussion on the second reading of any such Bill as this, because, if the discussion was delayed until the House went into Committee, it would be quite impossible to get together a sufficient number of Members interested in its details, and it was only by ventilating questions which arose on the face of the Bill, that a fair attendance of Members, and consequently a fair consideration of Amendments, could be afterwards secured. He, therefore, respectfully submitted to the Government whether it would not be better that the debate upon this question should be adjourned. He saw, indeed, that at a meeting of the Edinburgh Free Presbytery this was expected. Moreover, the Free Church and Established Commissions of the General Assembly were to meet on Wednesday next, and it was of the utmost importance that the question with which the Bill dealt should be discussed by those Commissions. Nor did he see any reason why the Government should not be able to fix the measure for some future day. The Home Secretary told his constituents in Scotland that this would be a Scotch Session, and, therefore, he did not see why he should be unable to appropriate a day somewhat later for the consideration of this great Scotch measure. To show how important it was that further time should be granted, he would make a few remarks on those provisions of the Bill which were new. The House would remember that a Commission was issued in 1864 for the purpose of inquiring into the subject of Scotch education. It was composed of men of all political parties. It included, among others, a former Speaker of the House of Commons (Lord Dunfermline), the Duke of Argyll, Lord Polwarth, and other distinguished men, who fairly represented the educational and religious interests of Scotland. They recommended in their Report, which appeared in 1867, that a Central Board of Management for the superintendence of the schools in Scotland should be established, and that that Board should hold its meetings in that country. They also recommended that the parochial schools should be left untouched; and they reported that in Scotland what was known as the religious difficulty had no existence. They added, with reference to the state of education in the country districts apart from Glasgow, and some of the large towns, where there was great educational destitution, that there were 1 in 6·25 children attending schools—a larger percentage than in the case of Prussia. Now, Scotchmen were rather inclined to pride themselves on the state of education in their country; but they were scarcely prepared to find that the proportion of children attending school was even greater than in Prussia. As to the deficiency of education, the Commissioners reported that there were about 200 schools required. But when that recommendation came to be examined it would be found that they had set down every instance in which a clergyman had thought proper to say that an additional school was wanted, although on the face of the Report it was evident that so small was the number of the inhabitants in some of these districts that it was impossible that schools should be placed there solely for their benefit. The question which he wished, in the first place, to consider was that which it was proposed to do with respect to the superintendence of education in Scotland. On looking at Sections 2 and 3 of the Bill he found they contained provisions for the establishment of what was called a Scotch Education Department, which was to have all the rights and privileges conferred on the English Education Department, in addition to others conferred by the present measure. Then it was provided that the Scotch Education Department should be at liberty to employ the officers who might be from time to time employed by the Education Department in England. In other words, the permanent officials of the Scotch Education Department would be the same as those now attached to the English Board. Now, that provision would, he felt satisfied, be very unpopular in Scotland. He was confident that among Scotchmen there was but one opinion as to their ability to manage their own educational affairs, and that they did not wish to be mixed up in any way with the Privy Council. It was, moreover, provided that Scotland might be invaded occasionally by sending officers down there for the purpose of obtaining information on educational matters; but that, too, was a proposal which, he ventured to say, would be very distasteful to the people of that country. Now, those provisions with regard to the Board for superintending the schools in Scotland were entirely in opposition to the Report of the Commissioners, who were unanimous in recommending that there should be an Educational Board established in Scotland; although they differed, and he thought very properly, as to what should be the constitution of that Board. It had been, for instance, proposed to place on the Board the Provosts of three or four of the towns, notwithstanding the general feeling that they would not, on the whole, be suitable representatives; for the reason, among others, apart from any question of personal fitness, that their time was already fully occupied with their own municipal affairs. But that there should be an Education Board in Scotland was not the opinion of the Commissioners only. In 1869, when the Scotch Education Bill was brought forward in the House of Lords, what took place? The most natural person to introduce the measure would have been the Lord President of the Council (Earl De Grey and Ripon); but instead of that nobleman—the head of the Educational Department in England — the duty was entrusted to the Duke of Argyll, the Secretary of State for India. What was the reason for this? Plainly because he was acquainted with the system of education which prevailed in Scotland, as well as with the habits, feelings, and prejudices of the Scotch people. For that reason the Duke of Argyll, and not the President of the Education Board, was selected to introduce the Bill into the House of Lords. [The LORD ADVOCATE: There was another reason; the Duke of Argyll had been Chairman of the Commission.] At all events, the matter must have been well considered by the Government; and, that being so, it was important to learn what the Duke of Argyll said in introducing the Bill into the House of Lords. His Grace said that there must be some properly constituted authority to go over Scotland and say where education was defective, and where more or new schools were required. His Grace went on to say—

> "That being the case, we must have some authority instituted to which Parliament will commit that full power of investigation as to the localities in which new school accommodation is required. The only point which I have heard questioned as to the Report of the Commission is as to the constitution of the authority to be vested with these large and discretionary powers. I have heard differences of opinion as to whether it should be vested in a Department of the Government in London, or in some body more particularly connected with Scotland. Now, for my own part, I cannot conceive any doubt being entertained on the question by those who have really looked into the extent and nature of the power it is proposed to entrust to this body. I have great respect for my noble Friend the President of the Council (Earl de Grey). There are few persons in England to whom I would more completely defer as a discretionary authority in such matters. I know that to some extent he is acquainted with Scotland, and that, at all events, during those two months in which Englishmen betake themselves for health of body and mind to Scotland, he occasionally honours us with his presence. But still I confess that if an ukase came from his office to me, saying 'In your parish there is a great want of a school, and I desire it should be erected,' I am not quite sure how I should comport myself in deference to the authority delegated to my noble Friend. It seems to me apparent that where you give such large powers, independent of parochial and municipal authorities, you must vest them in some body which is in the main Scotch, which is acquainted with the feelings and habits of the Scotch people, with the principles of their educational system, and, above all, which is of a representative character. It was on these grounds, and with these feelings, that the Commissioners unanimously recommended that a discretionary power should be vested in the Board, which was sketched in their draft Bill."—[3 *Hansard*, cxciv. 287.]

His Grace then alluded to the different bodies who were to be represented on the Board, and gave his clear and explicit opinion—and no one was better able to give an opinion on the subject of education than the Duke of Argyll—that there should be a superintending Board sitting in Scotland. Well, the question came before this House, and the late Lord Advocate, the present Lord Justice Clerk, referring to the proposal to make the Privy Council the Board of Education, said he had come already to the conclusion that there must be a Central Board in Scotland. Now, those were the answers of two men well entitled to express their opinion on the subject, both of whom had made the matter the subject of their earnest consideration. Opinions had also been expressed on the subject by the Home Secretary, and Vice President of the Council (Mr. W. E. Forster), and these were likewise in favour of the Scotch Board. The latter said there was no intention of interfering with the matter except as regarded the grants of the Privy Council, the control of which the Council desired to keep to themselves. Now, the disposal of the grant was a consideration that might very fairly be left to the Privy Council, though, at the same time, it was a question whether it would not be better that a sum of money should be voted to the Scotch Board for educational purposes. But it was never suggested that all supervision as regarded Scottish education on the part of a general Board in Scotland should be extinguished, and the present Lord Advocate supported Lord Moncreiff in the proposal then made. Why, then, had the Government changed their policy? In introducing the Bill the right hon. Gentleman said the Government were going to be so liberal that he was almost ashamed to state the extent of the grant, but the amount now given would be increased several times, or, as another report had it, seven times. I was astonished when I heard this, and had no great hopes of the promise being realized. In what way was the liberality of the Government to be extended to Scotland? This Bill did not indicate it. The right hon. Gentleman said, in effect—"Do you expect we would give the management of so large a sum to a Scotch Board?" Such a question was enough to rouse the ire of any Scotchman. What was done with respect to Ireland? Ireland received £400,000 for educational purposes, and there was an Irish Board, with paid officials. Why was Scotland to be differently treated? Ireland was a spoilt child, and, like other spoilt children, gave a great deal of trouble to its parents. Unfortunate Scotchmen—though, perhaps, he should not call them unfortunate—did not grumble or proceed to acts of violence; but that was no reason why they should be treated worse than Irishmen in the bestowal of favours by the Government. That was a mode of treatment of which Scotchmen had just reason to complain, and it was inconsistent alike with the recommendations of the Commissioners, and with the arguments and acts of the Government themselves in 1869. The only reason suggested by his right hon. Friend was that Scotchmen could not be trusted with the management of so large a sum. That Scotchmen could not look after money was a statement he had never heard before. His hon. Friend the Member for Edinburgh (Mr. M'Laren) had shown that they contributed to the Exchequer a larger amount than Ireland did, and that there was a much smaller expenditure by the Government in Scotland than in Ireland. That proposition would, therefore, be distasteful to the people of Scotland—it would certainly make the English Board very unpopular—it was a new proposition, and he wished that time had been given to the country to consider the matter, instead of pressing forward the Bill with such undue haste. His argument against the proposal was not founded merely on sentiment, though such arguments had been used to carry great measures. A Scottish Board was necessary for good and substantial reasons. If, for example, the Board was in London, there would be great difficulty in communicating. Then it was no slight matter for schoolmasters to be put to the inconvenience and expense of travelling up to London. His principal reason, however, for pressing a Scotch Board sitting in Scotland was, that the people of Scotland desired it; and he could admit no doubt that it would properly discharge its duties. The Board in England would have the right of dismissing teachers; and here he must say the provisions of the Bill were exceedingly harsh towards that class of persons. Any of the new teachers might be dismissed without, apparently, any notice of the charges against them. There was a provision that schoolmasters who had a life interest in their offices should have a copy of the charges before dismissal; but, under Section 70, it was in the power of the Privy Council to withdraw their certificates of competency, the effect of which would be the destruction of the prospects of these men, who could not hold office without such certificates. These were cases of individual hardship, which the injured parties would have the greatest difficulty in bringing before Parliament. He maintained that a Scotch Board would act with a more direct sense of responsibility than any English Board possibly could, and that they were better fitted to administer the system of school education than the Board proposed by the Bill. He thought that all the arguments of his right hon. and learned Friend against a Scotch Board amounted in substance to this—that you could not entrust Scotchmen with the administration of the fund. His answer was, that a Scotch Board was quite as trustworthy as an Irish Board. In questioning the expediency of entrusting such powers to the Privy Council, he was making no charge against the right hon. Gentleman (Mr. W. E. Forster), or against the Home Secretary, who was a Scotchman; but it was impossible that Englishmen could efficiently superintend the vast duties which now devolved upon them under the Education Act, along with similar duties as regarded Scotland. Many of these duties necessarily devolved upon subordinate officials, and when once an order issued from the Board, it was like the laws of the Medes and Persians—very difficult to alter. Another point worthy of consideration was, that in the Bill there was no limitation as regarded the amount of rate. The Bill gave power to the Privy Council to order, without restriction, such buildings as they might think proper; and, therefore, the ratepayers would have to consider whether that was a proper power to be vested in a Board discharging its duties in London. By the provision contained in the 4th section of the Bill, a school board was to elected in every parish and burgh. Now that section, taken in connection with the following clauses, involved the entire destruction of the parish schools as they now exist in Scotland. The Bill, he must say, was framed in a somewhat peculiar way. It was designated "a Bill to amend and extend the provisions of the law on the subject of Education in Scotland," and recited in the Preamble certain former Acts on the subject; and then goes on—"Whereas it is desirable," &c. Now, one would suppose that that would be followed up by leaving at least some remnant of the Acts recited in the Preamble—because the usual course was to begin by repealing the Acts; but it was not till they came to the last clause that these Acts were repealed, and that clause was an entire repeal of all Acts relating to education in Scotland. He must say that that was cutting off the parish schools as they previously existed, root and branch. He asked whether such a proceeding was not an unfortunate matter, after those schools had been held up by the Prime Minister, among others, during his election tour in Lancashire, as a pattern to all the rest of the world. He said the parish schools of Scotland were the foundations of the prosperity of Scotland, and of the success of Scotchmen in their own, and in other countries, and he spoke of the system as one of the best which existed in any part of the world—Prussia not excepted. These schools, then, were swept away root and branch by this Bill, and a spick-and-span new system substituted. He must ask, for what purpose was that? Why that change—that total destruction of the Scotch system of parish schools? The only reasons assigned by the right hon. the Lord Advocate was, because it appeared to him necessary to have the rate imposed on the real rent and not upon the valued rent; and because that change would bring the parish schools within the same sphere of management as the new national schools proposed to be established. They had had no Petitions praying that the assessment might be transferred to the real rent—the assessment was quite as certain at present as it would be if imposed on the real rent; and the only effect of his right hon. Friend's proposition was to change the incidence of taxation. Any person purchasing property in Scotland, on learning the valued rent, knew what proportion he would have to pay to the schoolmaster—it was an ascertained amount; but if the assessment were placed on the real rent, then, as the latter had become, in process of time, greater than the original valued rent, the purchaser would be subject to a larger impost than he thought he would have to pay when he made the purchase; while in those parishes where the real rent had fallen below the valued rent he would have to pay less than when he bought. Again, where manufactories had been established, and where there was a necessity for additional means of education—they were about to shift the burthen on the ratepayers and on the small proprietors. He ventured to say that many of those ratepayers would not thank them for subjecting them to the payment of rates which had been hitherto paid by the proprietors of land; at the same time the landowners were far from sure of getting ultimate relief—for a school board entailed a clerk and a treasurer; and he was inclined to think the new system would be found more expensive than the old. Another reason given by his right hon. Friend was, that the new system would bring with it great simplicity. But simplicity was not always the surest mode of arriving at the successful solution of questions with which the habits, customs, and feelings of the people were interwoven. No doubt there were many persons who would undertake to produce a much more simple plan of the British Constitution than the confused and complex arrangements on which it now rests. It was very possible to devise, as many French theorists had done, entirely new constitutions; but these inventions wholly wanted the elements of stability; and he ventured to say that a novel system, though possessing the deceptive attractions of an apparent adherence to logic, ought not in this case to be rashly adopted, because the existing system of the parish schools was one that was highly prized both by those who had attended the schools and also by the teachers. It was obviously of the greatest importance to the well-being of any school system that they should have good schoolmasters. The schoolmaster was the life of the school; and the Scotch system had had the effect of attracting the most valuable teachers, he ventured to say, who ever conducted the education of any nation—men who, by their devotion to the humbler classes, had not only trained them admirably for the sphere of life that was before them, but also educated many men who had filled distinguished positions in this county. Only that morning he had a letter from a gentleman who knew of two young men brought up in the parish schools in the immediate neighbourhood of his residence, who, if they had not had the advantage of the secondary education as obtained there, would probably now be following the plough-tail; whereas they were both Professors in the same University—the one teaching the classical languages, and the other some other branches of learning. Again, he had the pleasure the other day of meeting the Professor of Oriental Languages in the University of St. Andrews, who had been selected at the request of Dr. Pusey—one of the first scholars of the day—for the purpose of taking part in the revision of the Bible which was promoted by the right hon. Gentleman in the Chair. Well, that gentleman received his education in a school conducted entirely on the same principles as the parish schools —a sort of side-school—and his two brothers have also occupied distinguished positions. Surely, then, they should not rudely destroy a system like that in order to build up another, merely for the purpose of introducing what they called simplicity and uniformity. That was not the policy adopted in the measure of 1869; and when last year the right hon. Gentleman (Mr. W. E. Forster) brought in the English Bill he said, among other things, that the question was how they could cover the country with good schools; that they must take care, in establishing a new system, not to destroy the existing one; and that they should, consistently with the attainment of their object, entail on the taxpayers the least possible burden, and refrain to the utmost from injuring existing and efficient schools. Those sound principles of educational reform had not, however, he (Mr. Gordon) regretted to find, been observed in framing the present Bill. He was not speaking in the interests of any particular denomination. Though belonging to the Established Church of Scotland himself, he had a sincere desire for a union of the Churches of that country, which, he thought might easily be, as they did not differ in any substantial points of doctrine, and he should not object to see the ministers of other denominations in the parish associated in the management of the schools. No class of men had taken a greater interest in education than the clergy of Scotland, without whose assistance, indeed, the cause of education would have sunk very low; and he could not see why there should be such objection, and such terror, in respect to their sharing in the management of the schools. In 1869 the principle of the Bill introduced by the Government was, as described by them, to enlarge the system of management and to popularize it to some extent, and they proposed to adopt the principle that those who paid the rates should have a voice in the management. Why, then, were they now going to change the whole character of the parish schools, contrary alike to the opinion of the Commission, and also to the policy of the Government in 1869, and contrary even to the decision of that House at the end of the year? It was a question on which much interest was aroused. The universal desire among schoolmasters and managers was, that the established schools should be continued as they now existed—to serve as models to the new schools, and not only to form them but to stimulate them. Again, how was the matter of religion dealt with in the Bill? That was a subject in which Scotchmen took no small interest. How was it dealt with? Simply by ignoring it altogether. The measure of 1869 contained a provision that the Government Inspector should examine in religion, if requested to do so by the school authorities; but the present Bill provided that the Government Inspector should not examine in religion; the only mention of which in the Bill, therefore, being something like a warning-off from the subject. It was said there was no statutory provision for religion in the old Scotch system. But why was that? Because the schools were placed under the control of the Church in 1663. Episcopalianism prevailed then in Scotland, and the schools were placed under the Bishops; and when, in 1666, Presbyterianism was established, the schools were placed under the presbyteries; and they so continued down to the present day—so that really there was a communication between the ministers of religion and the schools, and there was no occasion to make provision for religious education. There was a strong feeling in Scotland in favour of teaching religion, accompanied with the utmost liberality as regards the conscience clause. But the Government dared not face the difficulty, and were shifting it over to the local boards. It had been already shown that what was called the religious difficulty existed only to a slight extent in Scotland. Here you had a Board representing almost as large a constituency as Scotland itself, and he could not but admire the skill and good management by which the religious difficulty had been avoided; but when they sent this Bill down to the small parishes in Scotland the effect would be to stir up sectarian animosities, and the vanquished party, he feared, would not settle down without a feeling of humiliation and anger. Those who were actuated by strong feeling would bring the matter again and again before the board, and its continual recurrence would greatly tend to the disturbance of peace and harmony. If, then, there was no religious difficulty, why not at once say that which, he believed, was the opinion of the great majority of the Members of the House, and which was the opinion, undoubtedly, of the great majority of the people in Scotland—why not say plainly that religious instruction should be given in the schools? That would be a proper way of dealing with the question, instead of imposing the burden upon those who were opposed to a system of religious education, because, though they still had the conscience clause to protect them, disturbing elements would always exist. This was a question upon which all the Churches in Scotland felt great interest, and it was now fairly recognized that the great majority of parents in the humble classes were incapable of giving instruction in religion. Ministers had duties enough to occupy their attention, and the best thing, in his opinion, was to keep to the system which had given much satisfaction, and had produced such good and able men in Scotland—namely, the recognition of religion. He felt that he had trespassed too long upon the attention of the House; but it was a question of great interest to Scotland, where a strong feeeling existed that this Bill was being pressed forward to a second reading with undue haste, seeing that it contained several new provisions never yet laid before the public—propositions at variance with the former proposals of the Government. He did not want to move that the Bill be read a second time that day six months, but he desired the question to be settled, and he did not think there had been time enough for it. A discussion upon the second reading of the Bill was of the utmost consequence, as directing the attention of the House to the value of the provisions afterwards to be considered in Committee. He would again press upon the Government to consider the desirability of not pressing the Bill forward at present.

DR. LYON PLAYFAIR: I am glad to assure the House that I shall only occupy a very few minutes in my remarks, as the previous debates in 1869 have exhausted the subject, and there is little use in making speeches at the stage which this question has reached. The Bill before us is simple, logical, and homogeneous, and therefore generally calculated to fulfil its purposes. That purpose is to make education as national as formerly—when our Scotch ancestors established a system suitable for the requirements of the country as it then was. There is often a confusion, and sometimes an intentional commingling of the clerical and national aspects of Scotch education. Its first period, as in all countries, was purely clerical; then from 1696 it was purely national; and only from the time of the disruption of the Churches, about a quarter of a century since, did it assume a denominational aspect. The original idea of the Church was that every kirk throughout the land should have a school attached to it; but that was not the course adopted by the State, which imposed this duty on the nation by a tax upon property. The Bill proposes in all simplicity to restore this ancient idea of national duty, supplementing it by Imperial aid. My previous speeches on this subject will show that I have never underrated the efforts of the Churches and their various ministers to introduce vitality into the national scheme of education. The ministers of religion in Scotland are of the people in origin, sympathies, and education. They have gained their superior position by possessing higher natural attainments than the people around them, and these have been developed through the schools which are common to both. They have returned lovingly to those schools in their future career as parish ministers, and done their best to improve their character and enhance their resources. It will be a deep disappointment to me, and to all lovers of education, if the ratepayers, in their selection of school boards, forget what the country owes to her ministers of religion. But this voluntary recognition is one thing, and a statutory obligation is another. It was not till 1803 that the parish minister was added *ex officio* to the school managers, though it was a custom almost equal to law before, and I hope will be a custom again. It is a great error to try to force religion into the hearts of people by law. Vital religion does not penetrate men's hearts by such compulsory means. Yet the cry arising against this Bill in Scotland is that it is a godless Bill, because it does not legislate in this way. There is an outcry that the "use and wont" of religious instruction should be acknowledged and enforced in this Bill. Will my hon. Friend the Member for the Universities of Glasgow and Aberdeen, and the hon. Baronet the Member for the counties of Peebles and Selkirk, point out to me a single Act of Parliament in which religion in schools is enforced by statute in Scotland? No doubt religious instruction is the use and wont, and as long as it is left to use and wont, Scotland will be a God-loving country. It is because I desire to see this religious character of my countrymen preserved that I am anxious to leave religious education in their hands, and not to come between their consciences and their duties by arid provisions of an Act of Parliament. By all means let us have "use and wont," but it ceases to have its strength as use and wont the moment you make it statutory. That the Lord Advocate has not been indifferent to religious education may be judged of by the fact that he adopts exactly the course recommended by Dr. Chalmers, who is, perhaps, the most highly appreciated divine among our past worthies. What does Dr. Chalmers recommend? He first begins with the impossible hypothesis that there might be a theological Parliament sufficiently versed in dogma to legislate on true dogma, and then he goes on to say—

> "But failing this, it seems to us the next best thing that, in any public measure for helping on the education of the people, Government were to abstain from introducing the element of religion at all into their part of the scheme, leaving this matter entirely to the parties who had to do with the erection and management of the schools which they had been called upon to assist. A grant by the State upon this footing might be regarded as being appropriately and exclusively an expression of their value for a good secular education."

Well, this is simply and entirely what the Bill does. No one can doubt the Presbyterian orthodoxy or religious fervour of such an eminent divine as Dr. Chalmers, and we may feel confidence that we are not damaging the interests of religion in Scotland when we follow his advice. I have said enough about the religious question, and will delay till Committee my remarks on the small parasites of denominationalism which the Lord Advocate still allows to grow on the national educational tree. But I now turn to the framework of the Bill —the "Scotch Education Department" —which is to be entrusted with carrying its provisions into effect. The whole Bill gives to this Department a real administrative existence, with large and full powers for superintending education in Scotland, and for preserving its distinctive peculiarities. The fact that this appears in the Bill admits the necessity of a concession that there should be a national administrative Department of some kind. That is not the form which I would have preferred. I still entertain the opinion, which I expressed two years since in this House, that the simplest, cheapest, and most effective method of administration would be by a local Board sitting in Edinburgh. But the Board to which I look is, I am bound to admit, not that which receives most favour from the Scotch people. My desire is to have a small executive Board, paid, and, therefore, responsible for its work, and subject to the Committee of Council in matters of finance and general administration. That was the form which the Board ultimately took in the Bill of 1869; but it is not the form which the Commissioners recommended, and which the people of Scotland seem to prefer. They indicate a Board representative of different classes of the community, unpaid, and undominated by the Government. Such a Board is somewhat allied to the Irish Education Commission; and I am sure that this House will never again entrust the administration of large annual grants to an irresponsible body of this kind. The only advantage of a Scotch Board in Edinburgh would be to represent national interests and peculiarities of education. When the Commissioners recommended their scheme of a representative Board, there was a wide divergence of system between the education of England and Scotland. The former had only a contributory, and not a national system, and possessed no organization for its adequate extension. The aspirations of the Committee of Council were limited to teaching the three "R's" by a strict mechanical method. All this was so unlike the Scotch system that it was repulsive to Scotch teachers, who shuddered at the idea of being caught in the mechanical embraces of the Committee of Council. They looked upon that Committee much in the same way as the Lacedemonians looked on the wife of Nabis, their tyrant, who tempted them to approach her by the magnificence of her apparel. She then seized them in her embrace, for it proved to be a mere mechanical figure, constructed to torture them until their riches were squeezed out. So we thought if the Revised Code seized hold of Scotch schools, all our educational riches would be expressed in its mechanical grip. But we approach the question to-night in a very different position. England has now a more organized scheme of education than Scotland; but, above all, we have a new Revised Code just laid upon our Table, which does infinite credit to my right hon. Friend the Vice President of the Council. It is a vast improvement upon its predecessor, and encourages higher education in our elementary schools, and goes far to remove the sources of jealousy which have hitherto prevented Scotland from submitting to this Code. Under these changed conditions we no longer want a sort of Scotch Education Parliament to frighten the English Education Department from interfering with our national peculiarities. At least, for my own part, what I wish to see is not a debating society, but an active and responsible administrative Board. Nevertheless, I fully admit that the constitution of such a Board is looked upon with keen jealousy, both by the Church and by the teachers; and I have little hope of inducing this House, in the altered circumstances of the case, to accept a proposition which passed in 1869. Compelled, then, to look at the alternative presented by this Bill, my right hon. Friend the Lord Advocate will not be surprised if I ask him to give us assurance that the Scotch Education Department, to which he gives such large powers, is not a myth, but a reality. The clauses of the Bill, indeed, make it a formidable and active reality, but the definition clause shakes our faith in its substantial character. It is there described as a Committee of the Privy Council for Education in Scotland. Now, we know that the corresponding Committee for England is a purely consultative, not an administrative, body. The exalted personages who compose it are rarely called together, and even the existence of "My Lords" is scarcely believed in by the persons who correspond with the Department, and are answered in the name of the Lords of the Committee. There is no doubt of the potential activity of the Vice President, and even of the Lord President; but the potentiality of the Committee as an administrative body is not believed by anyone. Now, what the people of Scotland would like to know is, whether this Scotch Education Department is to be as mythical as the English Committee, who we hear of only in our letters from the Department; or, whether it is to consist of real individuals, with sufficient knowledge, and, what is equally important, sufficient time to give active aid and advice to the Vice President of the Council in his immediate administration of his Department? I have no desire to diminish his responsibility as the real Minister of Education of this country, but the people of Scotland will not be satisfied unless the Scotch Education Department is a reality, capable of giving for the first year or two ample time to aid him not only in preserving, but also in extending the peculiarities of education which they cherish so dearly. If I felt confidence on this point, I would hail this Bill as a great boon to my country. The position of Scotland as a nation, in spite of its small area and contracted natural resources, has been gained by the universality and gradation of its education. Assure us that this Bill will in reality preserve to us the means by which the intellectual fund of the country will be sought out and developed as in past times, and the people will sink their minor differences, and co-operate with the Government in passing a Bill which, in its careful provisions, seems well calculated to give increased prosperity and contentment to the northern part of this kingdom.

MR. C. DALRYMPLE said, he was sorry to have to say that he was not as completely satisfied with the provisions of the Bill as his hon. Friend (Dr. Playfair), for whose judgment on the question of education he had the highest respect. The right hon. and learned Gentleman (the Lord Advocate) when introducing the Bill to the House, had not invited suggestions or assistance from either side with a view of making his Bill more perfect or generally acceptable to the people of Scotland; yet he could tell the right hon. Gentleman that there were several Members who sat opposite to him who would willingly have given their aid. He hoped the Bill might not miscarry hereafter, from any obstinate resistance to Amendments which might be suggested —provided they were good and useful Amendments—from whichever side the House they might come. Though the secret had been well kept, he heard, before the introduction of the measure, that it would be "stronger and simpler than the English Bill." When he heard that it was to be stronger, he guessed, at once, that it would be more distasteful to himself, more upsetting, more sweeping, and more regardless of securities for religious instruction; and his anticipations had not been deceived. But he heard that it was to be simpler also—and he found it simpler indeed, for it made a clean sweep of the present parochial system, against which no charge had ever been made, except that it had broken down in the large towns. But even the voluntary system, with all its efforts, had broken down in large towns—and there was no charge against the parochial system, the value of the instruction given in which was universally recognized, and which, as a system, was admittedly free, in the religious instruction afforded, from all suspicion of sectarian taint. The measure appeared to have been framed rather with the intention of overriding all possible claims and privileges, than of recognizing the special wants of Scotch education. Those who had seen the working of the present system, and knew the value of its primary and secondary instruction, as well as of the stated religious instruction given under it, could not regard without apprehension the rash manner in which so much that was valuable was thrown into a common crucible — upon the chance, apparently, that whatever came out would be as good as what had hitherto existed. In the English Bill the Church schools were exempted from its operation. There was no analogy between them and the parochial schools in Scotland; but he heartily wished that it had been possible to make the change more gradually, and at present to reserve the parochial schools from the action of the Bill, with only such changes as to liberalizing the management, and as to inspection, as now-a-days were thought advisable. Passing to another matter, which had not been mentioned in the debate, he might notice that the present Bill would afford another instance of that most detestable thing called permissive legislation. He was aware that the subject of compulsion was supposed to be one of the perquisites of the Liberal party; but, in regard to education in Scotland, he believed some measure of compulsion to be absolutely necessary. He would read a brief extract from a letter written by one of the ministers of the Established Church of Scotland—a class of men whose connection with the parish schools was to be severed, and who, by that irony of circumstances which attends reckless legislation, would be disqualified from sitting on school boards because they were not ratepayers. The writer said—

> "Personally, I approve compulsory education, having long thought it necessary in Scotland; but I think it should be enacted, and not permissive."

Now, in the Bill, the power of making education compulsory was to be left to the school boards. It had been said that we were not ready for compulsion, but he was sure that the school boards which it was proposed to appoint were not ready to be entrusted with the power of giving, or withholding, compulsion. In a large city like Glasgow, where, no doubt, the school board would be composed, like that appointed for the metropolis, of some of the best men of the city, he did not doubt that compulsory education would be started soon after the passing of the Bill; but there were many small towns where compulsion was needed, and where it would be a very invidious task to introduce it. He doubted whether the school boards elected in such places would venture to initiate compulsion. Parliament was, in fact, shirking the difficulty when it left it to be dealt with by the school boards. That was something like what the House of Commons did when afraid to give a decision on a troublesome subject: it referred it to a Select Committee, to whose judgment the House often paid very little attention. He hoped other hon. Members would join him in urging on the right hon. Gentleman the desirability of enacting compulsion, at least in the large towns—and, indeed, he should be glad to see the principle extended to the whole country. There was another point to which he must refer. There were some clauses towards the close of the Bill where religious instruction was, he would not say recognized, but honoured by being mentioned, but chiefly in the way of prohibition and limitation. It had been said, again and again, that there was no religious difficulty in Scotland; but the Lord Advocate had said that there was an ecclesiastical difficulty. And he wished to learn whether he was to thank the ecclesiastical difficulty for the slight mention, or rather for the omission, of the subject of religious instruction from the Bill? He admitted that the first business was to supply ordinary secular education—and if he said a few words in defence of religious instruction, it was certainly not with a view to disparage secular learning; for he agreed with what had been said by a distinguished living teacher of youth, that "the spectacle of a nation very ignorant and very devout is a fancy, and not a fact." But he thought the right hon. Gentleman might have introduced into the Bill language which would have offended no one in Scotland, and which the great majority of the people of that country would have heartily welcomed. They were told that they must trust to the religious sentiment of the people of Scotland. He desired to throw no doubt on the existence of the religious sentiment, for it rested on a basis of well-known and long-established credibility; but he would say that it was to be put to a very severe test. Nor was it really trusted; for though the religious instruction be left to the discretion of the school boards——and of tha the made no complaint, yet inspection in religious subjects was forbidden, and it was doing dishonour to religious instruction to enact that such instruction should not be inquired into by the Inspectors, as it could hardly be supposed that the same care would be given to it as was bestowed on those subjects which would come under the Inspector's cognizance. He would trouble the House with a few lines from a letter of a Free Church minister, and which specially bore on that point—

> "Even were every board in the kingdom to make provision for religious instruction in the schools, that would not relieve the State from the discharge of the duty proper to itself in this

> matter; which is, in the way competent only to it to do—to give legislative expression to its own views in order that they may afterwards be carried out by the subordinate executive and administrative departments."

After all, he must say he had great misgivings that anything that might be said on that side the House would not meet with the same attention as if it came from the other side. Even if it were so he felt that he had discharged his duty in that matter. *His saltem accumulem donis, et fungar inani munere.* He did not speak as an absolute opponent of the Bill altogether; but he confessed he had noticed many omissions in the Bill, and looked with considerable distrust and misgiving at some of the intentions which he thought he could discern between the lines. He thought, however, it might be made a good Bill if there were not too obstinate a resistance to Amendments; and he looked forward with some confidence to the action of the Committee. If he did not entertain that confidence he should not have been able to assent, without protest, to the second reading.

Mr. GRAHAM said, he thanked the Government for having introduced the Bill at so early a period of the Session, and thus offered the opportunity of settling the question this year; but, at the same time, he agreed with the hon. and learned Gentleman (Mr. Gordon) that it was to be regretted that more time was not allowed for the consideration of the Bill, and obtaining the opinions of their constituents upon it. It would, he thought, have been better if the second reading had been fixed for next Monday, instead of that evening; but as the question had been already gone into very fully, and as they had learned from former experience the dangers of delay in this House, he thought it would be a great pity to lose a stage to-night. Therefore, he was prepared to enter into the discussion, though upon the distinct understanding that hon. Members were not to be thereby committed to any of the details of the Bill, or to any approval of the three new principles which it contained—those principles being the entire abolition of the parochial school system of Scotland, the denominationalism of the Bill, and, notably, the committal of the management of Scotch education to some shadowy and undefined body called an Education Department in London. He desired to offer to the right hon. and learned Gentleman his acknowledgment of the simplicity and comprehensiveness of his new Bill, which he believed to a very large extent would meet the wishes of the people of Scotland. Much as he regretted the rejection of the Bill of 1869, in the interests of the large number of children who had drifted away past help through the interval, he believed the Government would have great assistance in the discussion of an Education Bill this Session from the progress of public opinion and feeling which had taken place since that period—and he believed they now entered upon the question with a better prospect of unanimity and of a permanent settlement than had been possible at any previous time. They all knew that the people of Scotland were deeply attached to their parochial school system, and that they would be very jealous of any interference with it. Nor was that to be wondered at. For 300 years it had been intimately connected with the whole intellectual material and social progress of Scotland. It was the education of the parish schools which was the foundation of that cosmopolitanism which had sent Scotchmen into every part of the world, wherever there was good work to be done, and which had enabled them to achieve independence, and to distinguish themselves in every branch of enterprize. At any previous time the system which the Government now proposed for doing away with the parish schools, would have met with universal resistance; but he was not prepared to say now that it would be condemned, or that it would not commend itself to the people of Scotland. It simplified the task to be done; and under the new Code it need not necessarily imperil any of the interests the people of Scotland had so much at heart—but still the proposal of the Government was one that was so unforeseen that the representatives of Scotland had no right to commit themselves to it without the fullest discussion and the approval by their constituents. He observed that, in abolishing the present system, the Bill proposed to make an important concession to the owners of land by relieving them of their liability for the maintenance of the parish schools. If that charge were to be considered, as maintained by many authorities, the property of the nation, he doubted whether the proposed concession would be just or expedient. No doubt, the landowners would be liable to be rated as citizens; but that liability involved no right to their being relieved by the State surrendering its share of property of which it might to that extent be supposed to be a joint owner. The second new principle involved in the Bill respected denominationalism and religious teaching. It could not be too clearly understood that in Scotland there was no religious difficulty. Its schools, excepting a few belonging to Episcopalians, had maintained perfect freedom of conscience at all times; and even Roman Catholics had had no hesitation in sending their children with confidence to the parochial and borough schools. The people did not need nor desire any change; at the same time they were willing to give any proper guarantees that might be required. The doctrine of responsibility for belief, and of the rights of religious toleration, lay at the very foundation of Scotch Protestantism, of whatever denomination it might be; and the Scotch did not need either a secularist propaganda nor the Draconian strictness of Privy Council regulations to teach them their duty in that respect. The differences between the chief denominations in Scotland related almost entirely to matters which had no bearing upon the education of children, and not to those antagonisms of doctrine and belief which produced so much bitterness in England. The idea of a religious difficulty was not properly Scotch at all; it was introduced into Scotland from across the border; and in Scotland it arose mainly from sympathy with those in England who were fighting the battle of religious toleration and equality. In all the discussions in Scotland there had been a claim for undenominational and unsectarian teaching; and a candidate who had announced himself in favour of denominational education would have had very little chance of being elected; yet the Government proposed for Scotland a system which was intended to be, and could be, worked out only as a denominational system. The cry for undenominational education had had, however, much more to do with undenominationalism in England, and more especially in Ireland, than with the circumstances and wants of Scotland. Where toleration was perfectly understood and faithfully carried out the question of denominationalism had very little practical importance. In a country where there was a dominant, or aggressive sect, the question became a vital one. Any Scotch claim for undenominationalism was, in fact, part of the contention for religious toleration as against the supremacy of the Established Church in England, and still more extravagant claims to supremacy elsewhere. So far as England was concerned that battle was fought and lost last year, mainly because the hon. Member for Birmingham (Mr. Dixon) and his Friends chose to argue the question upon the ground of a rationalistic secularism, with which the people—of Scotland especially—had very little sympathy, instead of arguing it in the interests of religious opinions and beliefs, too sacred in themselves, and too important to the welfare of children to be taught in any mere formal routine of common-school education, or within the narrow limits of any Privy Council Code. Now, it was all very well to talk of religious education, and yet to exclude dogmatic religious teaching in our schools. But exclude creeds and catechisms as they would, the simple question of a little child would frequently open up the most profound points of religious belief, and compel the teacher, if he were at all conscientious, either to overstep his assigned limits, or to stand silent and rebuked in the presence of the infant he was professing to instruct. As regarded the proposed Department sitting in London, he thought the control of Scotch education by a body sitting at such a distance would give anything but satisfaction. For anything that appeared it might be that the proposed Scotch Education Department would consist of the right hon. Gentleman at the head of the English Department, and the Lord Advocate, sitting with or without appropriate national costume. He fully appreciated the high character of those right hon. Gentlemen, but, nevertheless, he thought that the powers entrusted to them would be regarded with jealousy in Scotland; for, if there was one feeling stronger than another in Scotland, it was one of dislike and distrust of the Privy Council, and the desire to keep in their own hands the management of their own education. The Scotch were not content with the English standards, although these were improved under the new Code; and they hesitated to trust the Privy Council to fix the standard of competency for teachers. In addition, the Scotch were naturally jealous of the coolness and indifference with which Scotch matters were treated by the Government and by Parliament. They would wish to commit their education to men practically acquainted with Scotch education, who would elevate, rather than lower, the standard of it. He trusted nothing would be done by the Bill opposed to the great value placed in Scotland upon higher education, and the importance of affording to children who exhibited great capacity the opportunity of entering the higher class schools. He would like to have seen stronger compulsory clauses, because public opinion in Scotland was far in advance of what it was in England; but, no doubt, wherever boards were created in Scotland they would have no hesitation or difficulty in enforcing compulsory clauses. He should also like to see the system of the Ballot introduced into the school boards. But these were details which might be considered in Committee. He had no objection to offer to the second reading; but he assented to it only on the understanding that a full opportunity should be afforded of discussing the subject on the Motion for going into Committee, by which time, probably, they would have had the opportunity of obtaining the opinions of their constituents on the Bill.

MR. CAMPBELL said, he did not at all agree with thehon. Gentleman who had just spoken, and who had advised them to hesitate in giving an opinion on the Bill; for he thought the short time the Bill had been before them had been quite sufficient to convince most Scotch Members, at any rate, that it was the most statesmanlike measure of education which had been presented to Parliament for many years. The hon. and learned Gentleman (Mr. Gordon) had referred with approval to the measure of 1869; but no one, he thought, could recall the history of that Bill without something like pity; certainly very few regarded it with any feeling of regret. It was founded upon the recommendation of the Royal Commissioners, who proposed an elaborate scheme for removing the parochial schools from their present management; and he was quite satisfied that compared with it the present scheme of the learned Lord Advocate was a very great improvement. With regard to the machinery proposed to be set up for establishing a new system of education in Scotland, no doubt men's minds were divided, as to the central authority, between the fear of tyranny in London and of jobbery in Edinburgh—it was difficult to say which feeling was the stronger—but he thought if the Board were strong enough to resist the Anglicizing tendencies of the Privy Council it would give satisfaction. With regard to that part of the Bill which allowed compulsory powers, he thought Scotland perfectly ripe for universal compulsion. What was wanted in Scotland was not so much additional schools as a uniform system and the power of enforcing attendance; and this was true not only of large cities, but of many small localities, such as fishing villages, where the children began to earn something at an early age. It was not advisable that Scotland should in this follow the example of England in the Bill of last year. Compulsion should be made universal. With regard to the religious difficulty, the learned Lord Advocate had certainly said very little. He appeared to think he might solve the difficulty by ignoring it. But as the hon. and learned Gentleman (Mr. Gordon) had pointed out, they were relegating knotty and delicate points, which ought to be settled by the authority of Parliament, to what sanguine people called the good sense of local boards. No doubt, local boards would have their own share of good sense; but if there was one subject on which they were certain to take a narrow view it was the religious question. Last year, when this point was raised by some of his hon. Friends, they were told that the difficulty was of their own making, and that when the country was consulted it would vanish into thin air. But what was the actual experience? The election of school boards all over England had turned on this very question of the religious difficulty, and the school boards had to commence their labours separated into two hostile camps on this very delicate subject. They were told, indeed, that there was no religious difficulty in Scotland; no doubt, up to the present time, there had been a most laudable amount of toleration in Scotch schools; but circumstances would be changed under this Bill, because there would be compulsory taxation, and in some places, if not in all, compulsory attendance; and he was very much mistaken if, when men found themselves saddled with new taxes, perhaps, for giving religious instruction of which they did not conscientiously approve, the religious difficulty did not crop up. There would be, in fact, in Scotland, when this Bill received its full development, a purely and entirely denominational system of education. There was only one solution of the difficulty, and that was this — the State should cease to undertake the religious education of children. The Scottish people were, perhaps, more than any other imbued with the spirit of religion; there was no country where religious and moral training was more highly prized; and none in which there was a body of clergy more qualified by learning and piety to undertake that duty. In that country it would, therefore, be perfectly safe to leave religious instruction to voluntary effort. He hoped that Amendments would be brought forward which the House might accept with a view to meet these points; and if, in debating those Amendments, there should be any renewal of the bitter contests of last year, the blame would rest with the Government, and especially with the Vice President of the Council. If they had, instead of adopting a course of compromise, adhered to their own principles, and thrown themselves on the loyal support of their own party, they would not only have carried their Bill, but—what was of far more importance—they would have laid down sound lines upon which, by common consent, might have been built a national system of education for each of the three divisions of the kingdom. They had not done so, and they now reaped the somewhat bitter fruits of that conduct; but he hoped there would be as little asperity as possible in the discussion, and that the Government would be found willing to make what concessions were necessary.

Major WALKER said, he joined in the remark that it was to be regretted that more time had not been given to Members from Scotland to consult their constituencies regarding this Bill. For himself he could say that he had received only one letter on the subject, and that was confined to matters of technical detail. No man, however, was more anxious to see this question of Scotch education settled on a broad and firm basis, and he thought this measure offered such a basis. While disapproving many points there were others which he highly approved, and, on the whole, he thought it an honest and fair attempt to settle the question. He only wished to refer to two points in the Bill in its present stage. With regard to Clause 67, which touched upon the higher education to be given in the parochial schools, it was within the knowledge of every Member of the House that the parochial schools in Scotland did not limit themselves to giving merely elementary education, but rendered themselves valuable feeders to the Universities. Clause 67, as he understood it, in dealing with the higher class of education given by those schools, seemed to provide that the public examiners should take notice of it only in cases where at least 50 scholars received such instruction. The effect of that clause, therefore, seemed to him calculated to wipe out all the higher instruction at present given in those schools, and thus to be at variance with the acknowledged principle of the Bill, which was to extend and improve education throughout Scotland. He thought the provision would give very great dissatisfaction in Scotland. He agreed with those hon. Members who were of opinion that practically the religious difficulty did not exist in Scotland. There would be but very little change in the religious education in Scotland brought about by this Bill. In the rural schools in Scotland religious instruction would continue to be given as now; but the 73rd clause of the Bill would bring about this objectionable state of things—that, whereas, under the existing system the religious instruction now given was superintended, at least, theoretically, by the presbytery, and thus a sort of guarantee was obtained that that instruction was sound and satisfactory, the clause to which he referred took the matter out of the hands of the presbytery without appointing anybody to superintend religious instruction in their place. Take the case where a local board had agreed that religious instruction should be given, what means would that board have for seeing that the schoolmaster was properly qualified for giving such instruction, or that, possessing the necessary qualification, he properly instructed the scholars. The practical result of Clause 73 would be that where religious instruction was given at all it would be given as an extra, in the same manner that modern languages and mathematics used to be given in our own public schools some years since. That would, most assuredly, not be a very satisfactory system, and was not one which the people of Scotland were likely to tolerate, and he hoped that a provision calculated to produce so mischievous and melancholy a result would be struck out. There were many other parts of the Bill open to objection; but, as they were mostly capable of alteration in Committee, he should not now touch upon them.

Mr. M'LAREN said, that while many hon. Members had talked much about a Scotch Board no one had attempted to point out how the Scotch Board should be composed. He wanted to know what difference it would make whether the Board sat in London or in Scotland? Their power would be equally absolute, perhaps more absolute in Edinburgh, because a Committee of the Privy Council would be amenable to the censure of this House, while a Board sitting in Edinburgh would not be represented here at all. Those who expressed a decided preference for a Scotch Board should explain themselves clearly, and give an exact definition of the kind of Board they required. To talk about the Board was absurd, before you know what it is to be. Then with regard to the parochial schools. The hon. and learned Gentleman the Member for Glasgow University (Mr. Gordon) had said a great deal about the "swamping and extinction" of the parochial schools. Now, he (Mr. M'Laren) denied that any parochial school in Scotland would be extinguished by this Bill. It did not interfere with the parish schools in the way of extinction; it only improved their management. No doubt by the Bill of 1869 a Scotch Board sitting in Edinburgh was proposed; but hon. Members seemed to have forgotten that since 1869 the Education Act for England had been passed, and that under the present Bill many things which before were to be done by the Central Board, were now to be done by the local boards. He thought this Bill immeasureably superior to any Education Bill for Scotland previously introduced, and he should greatly regret if anything occurred to retard its progress. The fourth rule in the Schedule with regard to the money to be raised in certain parishes, seemed a very extraordinary one. It provided that when in certain insular parishes, where the assessment at 3*d.* in the pound yielded less than £30 for each school, or less than 18*s.* per head on one-sixth part of the population, the Education Department may pay a sum not exceeding twice the ordinary grant, the total grant not exceeding 16*s.* per head. The peculiarity of this provision was that it assumed that 18*s.* per head on one-sixth of the population for educational purposes was a rather small sum to raise in Scotland in reference to the number of children to be educated. There must be some extraordinary blunder here. The calculation that such a sum would be necessary was to be based on the population of the country at the last Census; but before the Bill became law the Census of 1871 would have been taken. That Census would probably show a population of 3,300,000, and an assessment of 18*s.* a head on a sixth of that number of people would produce £500,000. But did the right hon. Gentleman really believe that such a sum would be necessary to supply the educational requirements of the country? In a great proportion of the small burghs in Scotland it would require not 3*d.*, but 2*s.* in the pound to realize the 18*s.* a-head. Were the Government serious in wishing to impose such a tax on these small burghs? The thing was out of the question. The working of the Bill as now framed would be to relieve taxation to the richer classes in the country, and to make it a heavy burden upon the poorer populations. With regard to the religious difficulty, he thought the proposal of the Bill would meet the case in a satisfactory manner. It contained the principle which had been contended for for years past in Scotland. The people of Scotland simply wished to be left alone in this respect. The Bill assumed that religion would be taught; but one of its clauses provided that no child should either be compelled to attend religious instruction, or to suffer injury for being absent therefrom. The great blot in the Bill was the retention of the cumulative vote in the election of the school board. He had always thought that a most extravagant and absurd proposition. England had made a blunder in this respect; but Scotland ought not to be compelled to blunder for the mere sake of preserving uniformity. Nothing could be more unjust than the proposal of the Bill to relieve the heritors from the payments they now had to contribute. The Act of 1696 provided that the heritors and the minister should supply school accommodation in every parish; but by the present Bill, if passed, the heritors, whose property had been enormously enhanced in value since the valued rent was fixed in 1674, would pay the merest fraction of the whole cost, while poor people, down to rentals of £4, would have to contribute in the same ratio as the richest landed proprietors. It was out of the question to suppose that this would be so trifling an assessment that nobody would feel it. It would raise an outcry against the Government, of which the end would not be heard for many years. The principle of the Bill in that respect was altogether indefensible.

Colonel SYKES said, he fully concurred in the complaint of the right hon. and learned Member for Glasgow and Aberdeen Universities (Mr. Gordon) that the constituencies in Scotland had not been afforded a sufficient opportunity to consider the provisions of the Bill. If, therefore, it were read a second time that evening, it must be on the understanding that Scotch Members would be perfectly at liberty to object to any part of it in Committee. The 2nd clause declared that "the Scotch Education Department" of the Privy Council "shall," and so on. Now, what was the Scotch Education Department? He turned to the definition clause, and he found that it was to consist of "the Lords of the Privy Council appointed by Her Majesty for Education in Scotland." Now, his right hon. Friend the Vice President of the Council (Mr. W. E. Forster) would, he should have thought, have quite enough to do in the management of educational questions in England without undertaking to deal also with the Scotch system. If, moreover, the clause to which he was referring were to pass in its present shape, it would, he felt assured, be contrary to the feelings and opinion of the great majority of the people of Scotland. What he would suggest was, that there should be a popular element in the Board to be called the Scottish Board and resident in Scotland. It should be what he might call a peripatetic Board—that is to say, the members in the intervals of their quarterly meetings should visit different parts of the country, as was the practice with the Lunacy Commissioners in Scotland, and report their observations to the Board, as was also the practice with the Lunacy Commissioners in England. There might be two paid officials named by Government, and with them there might be five or six elected members. He was sure there was patriotism sufficient in that country to secure competent men to discharge the necessary duties, and the elective principle would give great satisfaction. The late Lord Advocate had stated in the course of his speech that the Bill aimed at the destruction of the parochial schools of Scotland. It was well hon. Members should know what these schools really were. They did very much more than teach what was commonly called "the three R's." In Aberdeenshire an estate, now of the value of £3,000 a-year, had been left by Dr. John Milne of Bombay, formerly of his (Colonel Sykes') regiment, from which augmentations were made to the salaries of the masters of certain parochial schools. There were 89 participating schools in Aberdeenshire. What were the schoolmasters competent to teach? 88 schoolmasters taught geography, 74 mathematics, 74 Latin, 42 taught Greek, and 18 taught French. In non-participating schools which have the same headings of teaching, and 27 in number, the whole 27 schoolmasters taught geography, 10 mathematics, 21 Latin, 4 Greek, and 2 French. How was it that the scholars or pupils were capable of being taught those higher branches of education? Simply because the parish schoolmaster was a man who had gone through a University course. And how had he been able to do that? First in the parochial schools he got the elements of an educational system, which enabled him to go to Aberdeen and compete for a bursary of £15 or £20 per annum, which, with the frugal habits of a Scotch lad, sufficed for his support, at the University he got a degree of Arts, and then went back again as a schoolmaster, the increased salary rendering it worth his while, and with a degree of competence that few in England were able to obtain. No parochial school in England, indeed, few second-class schools, could teach the subjects accessible to a farmer's or shopkeeper's son in Scotland, and this was entirely owing to the cheapness and facilities for acquiring an University education in Scotland. In Clause 48 of this Bill there was no limit placed to the power of the school boards to tax the ratepayers. All those who were assessable to the poor rates were assessable to the school board. Surely there ought to be some limit placed upon this power. For the rest, he did not object to the measure as a whole, and should vote for the second reading, on the understanding that its provisions should be made more palatable to the people of Scotland in Committee.

MR. CRAUFURD said, that while anxious that the Bill should be read a second time, he must enter a strong protest against the way in which Scotch business was beginning to be dealt with this Session. The Home Secretary had honestly admitted to his constituents in his public address during last autumn that Scotland had been badly treated last Session. Scotch business was postponed in the interest of Ireland for the last two Sessions, and of that he made no complaint. He had been willing to stand aside, in the hope that, when pressing legislation for Ireland had been settled, Scotland would have her turn; but that evening a most important Scotch measure—a measure which had been mentioned in Her Majesty's gracious Speech—had discussion upon it limited to three or four hours, one-third of which time had been occupied by his hon. and learned Friend (Mr. Gordon) who spoke first. That was a mode of proceeding to which he, for one, was entirely opposed, seeing that Scotch Members were this evening almost completely tongue-tied on an occasions affecting very materially the interests of their country. The Bill itself in its general principle should receive his most cordial support; but there were some details to which he wished to invite the attention of the Lord Advocate, in order that the objections which he entertained to them might, as far as possible, be obviated. He referred to the constitution of the school boards—the mode of election in which the system of nomination was retained, though it was about to be abolished in all Parliamentary and municipal elections, the cumulative vote, the absence of the Ballot, as well as of any qualification for those who might sit on the boards. He hoped his right hon. and learned Friend the Lord Advocate would adopt a more stringent conscience clause, and remove the small remnant of denominationalism which was tacked to the end of the 74th clause, and would adopt the principle that the school boards, which would be possessed of unlimited powers of taxation, should contain no member who was not himself a ratepayer.

MR. W. E. FORSTER said, there was this difference between the present Bill and the Bill introduced in 1869—that whereas the Bill of 1869 proposed the establishment of a Scotch Board for the purpose of deciding where national schools should be set up in Scotland, no such Board was now proposed. But there was a very good reason why such a Board should not be established, inas much as his right hon. Friend found—and he was exceedingly glad he did find—that a national school could be established in every parish in Scotland. Consequently, there was no want of a Board in Edinburgh or anywhere else to decide where they should be established. He could assure hon. Gentlemen that his own experience in educational matters had shown there would be no advantage in having a Board between the Department which had to distribute the Parliamentary grant and the school board; and that, if they attempted to establish any such intermediary Board, it would prove to be a hindrance rather than an advantage. The Scotch Education Department proposed in this Bill was precisely the same as that established for England, but with the necessary exception—that, whereas there had heretofore been but one Educational Committee for both countries, there would now be a special one for each, and the Government proposed that that Member of the Government who was especially responsible for Scotch business should be added to the Scotch Education Department—namely, the Lord Advocate. That Scotch Department would be consulted whenever any change was proposed with regard to principles in the administration of the Committee of Privy Council in Scotland, or in the working of this Bill. He thought it would be a very bad thing for England, or for Scotland, if the daily administration of the Education Department were put into the hands of a Board rather than of the Minister at the head of this Department. The Government looked forward to there being a special permanent Scotch officer responsible for Scotch business in the office of the Scotch Education Department; so that in the daily working of the administration, Scotch feelings, Scotch views, and Scotch ideas would be consulted, and also with reference to any change of principle with regard to the distribution of the grant. He looked upon the Education Department as being an Imperial Department, and as being just as much Scotch as English. At that moment he was glad to say it was a good deal more Scotch than English. The Secretary of the Committee of Council on Education, a gentleman of whom he could not speak too highly, was a Scotchman; and the newly-appointed Assistant Secretary of the Committee, a gentleman of whom also he could not speak too highly, was a Scotchman, and in their new Code the Department had adopted many Scotch ideas. In reply to the observation of the hon. Member for Stirling (Mr. Campbell) that he had last year abandoned the principles he had previously announced with regard to educational matters, he would simply state to the House that he had never made, either there or out-of-doors, any statement which could be considered inconsistent in the slightest degree with the position he took last year in reference to the education question.

Mr. M'LAGAN said, that if the Department had been limited to the distribution of the Privy Council grants, he should be satisfied with its constitution; but he found that in many places the local boards were entirely under the control of the Education Department, and he should, therefore, like to see a much more responsible Board sitting in Scotland. Indeed, the difficulty seemed to have occurred to the Government themselves, for in the 3rd clause they proposed that the Education Department should have it in their power, with the consent of the Treasury, to employ such officers in Scotland as they may adjudge necessary to perform the duties connected with the said Department. Now, if the duties were to distribute the fund, why not appoint a Central Board in Scotland, and let the local boards be subject to them, the Privy Council having the distribution of the funds as at the present time? He looked with suspicion on this proposal to have the same officers for England and Scotland. In the 2nd clause it was said—

> "The said Scotch Education Department shall be at liberty to employ the same officers who may from time to time be employed by the Education Department for England."

He believed the result would be that the Education Department for Scotland would be merged in the Department for England, and that they would be subjected to the same rules and regulations as for England. He was sure that the Scottish people would not consent without a struggle to have that system of education done away with to which they had been so much indebted for the success of their sons in the battle of life, both at home and abroad. Regarding the local boards, he should like some qualification to be given to the members. With regard to the payments made by the heritors, this £40,000 or £50,000 was a simple educational rate put on 200 years ago, and trebled 10 years ago. He thought, therefore, the Lord Advocate, in proposing the change, had properly substituted one educational rate for another, and had properly relieved the heritors in this respect. He was glad to see that the Lord Advocate had put into the Bill the sums to be given for infant, evening, and industrial schools; but he was sorry that in respect to evening schools, he had limited the grants to places where there were at least 1,000 inhabitants. He (Mr. M'Lagan) would suggest that a limit should be made, not in reference to the population, but to the attendance at the schools. He had great hopes of the advantages to be derived from these evening schools, which should be encouraged as much as possible, especially in small villages.

Mr. DIXON said, that as no English Member had yet spoken, he wished to express his regret that more time had not been allowed for the discussion of this very important matter. He trusted that the Government would not suppose that everything in this Bill was assented to because English Members were silent. It must be understood that in Committee hon. Members should have full opportunity of discussing the principles of this Bill.

The LORD ADVOCATE said, he had certainly no reason to complain of the debate of that night. He assumed that the second reading of the Bill would be taken without a Division. He would refer for a moment to the adverse criticisms of his hon. and learned Friend the Member for the University of Glasgow (Mr. Gordon). These criticisms were in entire accordance with the observations he made on the occasion when this measure was introduced. His hon. and learned Friend characterized it as a destruction of the system of parochial schools, and he made observations of the same character in criticizing the proposal of the Bill with respect to central authority. As to the parochial schools, it certainly was not the purpose of the Bill to destroy the parochial system of education. On the contrary, the purpose —the leading object — of the Bill was to strengthen and extend it. The system had become insufficient. Even in country districts the parish schools supplied education to a very small proportion of the children who required it, and the system had never been extended into the burghs at all. The purpose of the Bill was to enlarge the system in country districts, and to extend it into the towns, where heretofore it had no existence at all. His hon. and learned Friend seemed to regard as tantamount to destruction the change which the Bill proposed in the school boards. No doubt that change was considerable. The management at present was vested in a limited number of a limited class of heritors, with the minister of the parish. With the extension of the parochial system, which he hoped would follow upon the Bill, it would be necessary to provide more extensive funds than had hitherto been provided; it would therefore be necessary to extend the area of rating. Accordingly, it seemed impossible to him, with an extended school system and an enlarged area of rating, to leave the management in the confined condition in which it was at present. He proposed to do only what the law establishing the system, which had been so much lauded, originally did—namely, to make the management commensurate with the rating—to vest the management in those who paid. To say that there was any destruction of the Scotch school system because the management was to be in an elective body was a novel proposition to maintain in the House of Commons at the present day. The excellence of the Scotch parish schools was attributable to the excellence of the schoolmasters; and the influence of the parish schools had been owing in great measure to the mere fact of their existence. It early became a custom for parents to send their children there, and that custom had continued to the present day; so that some education was furnished to the children in every parish. But with regard to the extent to which the people of Scotland were indebted to those schools, he could not use such unmeasured language of laudation as his hon. and learned Friend had done. The Royal Commissioners reported that 75 per cent of these schools were good, leaving 25 per cent either indifferent or bad. And with regard to the Free Church schools, his recollection was that they said they were very much on a par with the schools under the parochial system. They were not first-rate any of them; but they had been assisted by a very efficient board, and were supplemental to the parochial schools, and were much of the same character. The Free Church schools have undoubtedly been a blessing to the country. He did not exactly understand what was meant by an expression which had been very frequently used by his hon. and learned Friend, "the peculiarities of the Scotch system of education." No doubt the parochial schools had furnished very excellent schoolmasters, which was attributable probably to this—that the clergy of the Established Church of Scotland were very moderately provided for; none of the great prizes which were so attractive in other Established Churches fell to their lot; they therefore came chiefly from the humbler classes — commonly from those boys who had shown an aptitude for learning in the parish schools, had been encouraged and sent to the University, and had found an intermediate resting-place between the school and the ministry in the office of the schoolmaster, and accordingly they had in most of the country schools in Scotland a schoolmaster with a University education, and he was able to take up boys who showed an aptitude for learning, and send them in the same course he proceeded himself; and so the Church was supplied with ministers and the schools with masters. That was not a peculiarity in the system of education. In England, he presumed, reading, writing, and arithmetic were taught in the same way as in Scotland. The Educational Department of the Privy Council — jealousy of which had been so freely expressed in the course of that debate—recognized the advantage of instruction in more than mere elementary knowledge. Geography, grammar, mathematics, Latin, Greek, and modern languages, were all provided for in the Revised Code. That was not a peculiarity of the Scotch system. They had schools in which Latin to a certain extent, and Greek to an infinitesimal extent, were taught; but there was no feeling, as far as he was aware, adverse to this among those who were charged with education in England. Now, a few words with regard to the central authority. His hon. and learned Friend asked—"Why depart from the provisions of the Bill which appeared good to the Government and to Parliament in 1869?" The Bill which he had now had the honour of laying upon the Table was in many important respects, with reference to the question he was now adverting to, at variance with the Bill of 1869. The Bill of 1869 proposed to establish a Scotch Board undoubtedly, but only one, which was to be at Edinburgh—it was not proposed to establish one in every parish and every burgh in the country. That Board was to have the exclusive power of determining when and where national schools were to be established. When that Central Board had determined that a national school was to be established in any locality, then a school committee was to be called into existence in that locality. But the one Board established by that Bill was the Central Board at Edinburgh. But by this Bill he would establish within six months after its passing a school board in every parish and district in Scotland. There would be plenty of school boards, and every one of them would be charged with the duty within its own district which was proposed to be conferred on the Central Board at Edinburgh by the Bill of 1869 with respect to the whole of Scotland. Then the question arose, which did not arise in 1869—whether an intermediate Board was required between the parish or burgh boards and the central authority: which must, of necessity, be in London — not because there was any apprehension that the people of Scotland were not able to manage their own affairs, but because when Imperial money was to be given for any purpose it was considered desirable, if not essential, that the administration should be in a Government Department immediately answerable and amenable to the House of Commons. There was, as his hon. and learned Friend had pointed out, an exception in the case of the Irish Education Department; but from information which had reached him as the true lesson of experience that was not an example which it would be well to imitate. Even his hon. and learned Friend had referred to Ireland as a spoilt child, and that spoilt children are very troublesome to their parents. This conferring of a Board of Education on Ireland was one of those acts of over-kindness which induced a troublesome disposition on the part of the children. He therefore thought that they ought to avoid that exceptional instance; and, therefore, a central authority must exist in London for most important purposes. As the central authority was to administer Imperial money, it was interested to see that the local boards were not extravagant in the expenditure of the money raised by the rates that they imposed; for any extravagance in that direction would, according to the provisions of the Bill, lead to a corresponding increase in the expenditure of the Imperial money paid in grants. Therefore, it appeared to him that this provision was a natural one, and likely in its operation to be a useful and efficient check in every direction in which a check was required. His right hon. Friend the Vice President of the Council had stated that the Department would be made a Scotch Department. Now, the very name "Scotch Department" had a power of virtue in it, for it was an intimation by Parliament that the administration in this matter was to be a Scotch administration. It was wrong to suppose that Scottish views and interests had been in any way overlooked in the framing of the Bill. An Education Department for Scotland would be created under the Bill, which would be empowered to take full cognizance of the wishes of the people of Scotland with regard to the education which they desired their children to get, and that Department would be able to act in all matters relating to local affairs. As he knew that the House was desirous to get to the next Question on the Paper, he should reserve any further observations he had to make on the details of the Bill for another occasion. He should now content himself with saying that the several suggestions thrown out by the various speakers who had taken part in the debate would receive his fullest consideration before the Bill passed into Committee, and that he should endeavour to make the Bill as agreeable to the House, and as valuable and useful to Scotland, as possible.

Bill read a second time, and *committed* for *Monday* 20th March.

WESTMEATH, &c. UNLAWFUL COMBINATIONS.

MOTION FOR A SELECT COMMITTEE.

THE MARQUESS OF HARTINGTON, in rising to move—

> "That a Select Committee be appointed to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same,"

said: I need hardly attempt to describe the feelings of painful dismay with which I undertake the task now before me, for, in addition to the want of experience and knowledge of Irish affairs under which I labour, I have to approach a most difficult and distressing question, which has perplexed English statesmen for many years—namely, the manner in which Irish crime should be dealt with by Parliament. Under these circumstances it may be excusable, though it may not be wise, if, to begin with, I approach the most agreeable part of my subject. I feel, then, a pleasure to be able to say that the condition of Ireland as regards crime has during the last year very greatly and sensibly improved. Those who recollect the condition of Ireland for a much longer period than I can, will be able to make their own comparisons as to the state of things that existed in that country within their own recollection, and that which exists at the present time. They can contrast the present comparative quietude and peace in that country with the scenes of almost open warfare and bloodshed which they can recall to their recollection. I shall not go back to any distance of time, but I shall be satisfied if I can point out to the House, as I think I can, that within the last year there has been a great and material improvement in the state of Ireland. It will be within the recollection of the House that during the last winter and spring agrarian and other crimes were very prevalent in that country, but that a great improvement in that respect has taken place, the proof of which can be traced in many ways. For instance, the assizes in different circuits are approaching, and there is hardly at any of them any considerable number of cases coming on for Crown prosecution. That circumstance, however, is not always the test of peace, for unfortunately when crime is rife it is often not possible to detect the criminals to a sufficient degree to bring them to trial in the Courts of Justice; but the reports received from the constabulary, who specially report every instance of violence and crime throughout the country, equally show a remarkable improvement. Within the last months of last winter, the months of January, February, and March, the number of offences specially reported by the constabulary was—in January, 713; in February, 601; and in March, 741; while in the first four months of the present winter the number was in October 224, in November 255, in December 204, and in the past January 231. If we compare the state of Ireland now with that of last winter with respect to those crimes classed in the criminal statistics as agrarian, the comparison is still more satisfactory. Whereas in January of last winter the number was 391, in February 303, and in March 356, the number in the first four months of the present winter was in October 11, in November 30, in December 20, and in January 35. I do not wish the House for one moment to believe that I attribute this great improvement—for a great improvement it is—to that course of remedial legislation which it has been the pride of this side of the House to initiate during the two last Sessions of Parliament. I am aware that we have had in operation during the present winter the Peace Preservation Act, which conferred on the Government powers considerably exceeding those ordinarily in the hands of the Government; but I claim for the Government the credit of having used both the ordinary and the extraordinary powers which have been placed in their hands with vigour, firmness, and decision. During the past year it has only been necessary for the Government to issue but one Special Commission, but that has been attended with results of the best character. We have in every disaffected part of the country prosecuted the most vigourous searches for fire-arms, which have resulted in a large number of them having been taken from the hands of the disloyal and criminal classes. The constabulary force has been augmented in every disturbed district; experienced detectives have been employed in certain parts of the country not with all the effect that might have been expected, but still not altogether without effect; constant patrols have been established wherever, in the opinion of the constabulary, they could be of advantage, and the Attorney General and the Crown Solicitor have been instructed personally to undertake every case which appeared to be of any unusual gravity, and they have discharged their duty in a most satisfactory manner. Altogether, therefore, I assert that at no time within the recollection of any Member in this House, have the powers of the law been more vigorously, and at the same time more impartially, executed. This is an answer to those observations made in so fair, candid, and generous a spirit by the right hon. Gentleman opposite a few nights ago. I do not ask for a Committee of this House, nor do I wish the right hon. Gentleman to inquire how Ireland is to be regenerated or governed. We hope and believe that time and wise legislation will regenerate Ireland, and meanwhile the present Government is determined, as much as any Government has been, to exercise the powers conferred on them by Parliament, and to govern Ireland according to law. I now come to the painful exceptions from the general tranquillity alluded to in Her Majesty's Speech from the Throne, and those exceptions occurred principally in the counties referred to in the Notice of Motion I have placed on the Paper—namely, in the county of Westmeath, and certain small districts bordering on that county, in King's County and Meath. In respect to the figures I shall have to lay before the House I shall not have much to say in reference to Meath and King's County, and, probably, it might not have been necessary to include them in the Notice before the House, had it not been that we thought it better that the Committee to be appointed should not be fettered by any rigid line of boundary, but should be able to extend the inquiry, if they thought fit, beyond the circumstances of Westmeath to what has happened on its border. In Westmeath there has also been some diminution in the number of those offences which are classed under the head of agrarian crimes during the last winter; but I am sorry to say there has been a marked increase in the more serious class of crimes. In 1869 there were two murders and two attempts to murder in Westmeath; in 1870 there were four murders and seven attempts at murder; and in the past winter there have happened three murders and two attempts at murder; and in January of this year there occurred one further attempt to murder. In King's County there were in 1869 one murder and one attempt to murder; in 1870 two attempts; and in January, 1871, one attempt. In Meath, I am happy to say, there has been no serious attempt at crime; but, in the statement I shall have further on to make, I have reason to suppose that that part of Meath is as much subject to the Riband conspiracy as any part of Westmeath or King's County. Perhaps the House will allow me to read the particulars of two murders, which will show in a clearer manner than the mere recapitulation of statistics what is the nature of the crime with which we have to deal. The first occurred on the 25th of November last, and was as follows:—

> "Francis Dowling, an Army pensioner, steward to Messrs. Perry, of Ballinagore Mills, when returning from his office in the evening, and about entering the gatehouse where he resided, was fired at and shot dead by some person unknown, who, from the impression made by his knee when taking aim, appears to have been concealed about two or three yards on Dowling's right. Four pellets struck Dowling. Deceased was an inoffensive man, and generally liked. About two years ago a man was dismissed from Messrs. Perry's employment. He was succeeded by Dowling. Revenge for this is the only motive assigned for the crime. Messrs. Perry have been three times noticed by threatening letters to discharge four persons, of whom Dowling was one, and about six months ago were informed that a man was told off to shoot Dowling. Two men were arrested (one of whom was the party dismissed), but both were discharged for want of evidence."

The next case to which I wish to call particular attention is that of the murder of a process server on the 29th of December last, and is as follows:—

> "Thomas Waters, process server, was found by a police patrol one mile from Mullingar, at 11 o'clock, p.m., shot dead, his body still warm. There were three bullet wounds in his left breast. The Rev. Mr. Crofton, of Louth, about a month ago resolved upon evicting a notorious Riband leader, who had refused to pay an increased rent, but so great was the dread of this man that no one could be found to serve the ejectment notice. Waters at last undertook the task. His death deprives the landlord of proof that the notice was served, and the tenant in question will, in consequence, retain his farm for six months longer. It is believed that this crime was resolved on and carried out under the directions of the Riband conspiracy. The police repeatedly warned deceased of the danger of associating with known members of that society, and frequently escorted him (contrary to his wish) part of the way home. Three persons, all notorious Ribandmen, have been arrested. One of the three was seen drinking with Waters during the entire day of the murder."

I regret to say that the three persons arrested on suspicion of having been concerned in this crime have been discharged for want of evidence. I will not refer to any other serious cases that have occurred, because there are persons in custody against whom there is more or less evidence, and with respect to whom there is more or less hope of obtaining a conviction; and therefore it will not be right, whilst their trials are pending, that I should say anything respecting their cases. These statements of actual murder and of attempt to murder within the limits of a small county are certainly bad enough; but I regret to say that does not complete the whole of my case. All these acts of violence are, we have reason to believe, the work of a Riband society in Westmeath, which has long been known as the centre and stronghold of that society. It has, no doubt, broken out at various times in other parts of Ireland, and it has, no doubt, also inflicted upon society in other parts of Ireland very grave and serious injury. In other parts of Ireland, I am happy to say, it appears almost to have disappeared; but in Westmeath, and on the borders of that county, it still continues to be in existence. That it is nothing new in Westmeath I think the following figures will prove. From a Return extending from the years 1848 to 1870 it appears that 40 persons died from violence within the county of Westmeath, and in 12 only of those cases were convictions obtained. In addition to these 40 cases there were 54 persons fired at, and in five of these only were convictions obtained. Probably, most hon. Members know as well as I do what is the nature and object of a Riband society. Originally it had something of a religious and political character about it. I believe it began as a Roman Catholic organization for the protection of its adherents against the Orange society; later, however, it assumed a very different aspect, and devoted itself chiefly to enforcing a set of rules framed by its leaders for regulating the relationships between landlord and tenant; more recently, it has again assumed a religious character to a certain extent, but it still continues to take notice of breaches of its rules as regards landlord and tenant, and even interferes between employer and employed. This leads me to another part of the case—which is, that not only have these violent attempts prevailed to the extent I have described in the county of Westmeath, and not only do we suppose them to be the work of a secret society, but the information we receive from the resident magistrates, from the constabulary, and from private persons induces us to think that this society exercises an influence which no statistics I can lay upon the Table of the House will indicate sufficiently. The reports we receive show that such a state of terrorism prevails that the society has only to issue its edict to secure obedience; nor has it even to issue its edict, its laws are so well known, and an infringement of them is followed so regularly by murderous outrage, that few, indeed, can treat them with defiance. Riband law, and not the law of the land, appears to be that which is obeyed. It reaches to such an extent that no landlord dare exercise the most ordinary of rights pertaining to land; and no farmer, employer, or agent dare exercise his own judgment or discretion as to whom he shall or shall not employ; in fact, so far does the influence of the society extend that a man scarcely dare enter into open competition in the fairs or markets with anyone known to belong to the society. Under these circumstances, inquiry will naturally arise as to the powers given under the additional law passed last Session. We have already said what has been done by the Government with regard to the preservation of peace throughout the country. All those measures which I have before enumerated have been still more strictly carried out in the case of Westmeath and the neighbourhood. The ordinary police force in Westmeath has been added to by, I think, 130 men; additional stations, too, have been established wherever an outrage has occurred or is apprehended; the cost of these additional stations has been in many instances defrayed out of a tax upon the inhabitants; the police have arrested numerous persons under the provisions of the Act of last year for being out at night under suspicious circumstances; but in very few of these cases have the magistrates been able to inflict the penalties of the law, because those persons who were arrested had taken good care that they were out on business, and that they had a lawful and also an additional excuse; patrols have been established wherever a constabulary officer had reason to believe they were necessary, and special protection has been given in many cases to persons supposed to be in danger. So far have the precautions of the constabulary reached that in some cases some of the worst characters have been almost constantly watched; but so perfect and complete has been the character and organization of this conspiracy, that the constabulary have attributed but little importance to precautions like these. They believe the Riband leaders can concert measures and project a scheme of retaliation by the meeting of two or three men in the road or in the middle of a fair. An outrage can thus be planned within earshot of the police, and all the necessary arrangements be made with a precision which could not be exceeded if the conspirators assembled in a secret meeting place. I need not say that the Irish Government, that my noble Friend the Lord Lieutenant of Ireland and myself have made most careful inquiries to see whether the police and magistrates possess any powers which they have not yet used; but they have conclusively shown us that even the additional powers of the Act of last year have not been sufficient to cope with this conspiracy of Westmeath and its neighbourhood. Now, if this state of things really exists—and it can be too readily proved—the Government say, and I say to the House, that it is an intolerable state of things. The Government are prepared to admit it, and we say that we are determined to apply to the House for a remedy. What we propose to-night to do is this—to lay the facts which I have stated, and other facts which are too long to lay before the House now—to lay all these facts before a Committee of this House. We ask to have a Committee to join with us in thoroughly sifting and attempting to elucidate these facts. We do not ask the Committee to provide us with a remedy. We feel that to be the duty of the Government. But we do think we may fairly ask the Committee to assist us in examining into these facts, and into the state of things which I have described. Bad as the case is, it is not one which we think requires legislation in haste or in panic. There has been quite enough of hasty legislation, and we believe that any legislation not based upon a full and complete knowledge of the extent of the evil, and of the nature of the evil, and of the cause or causes of the evil, would fail in its object. We ask, then, that a Committee of the House should examine with us into the facts which I have laid before them, and we ask this for several reasons. First, we ask this Committee for our own assistance. It may, of course, be said that we have within our own reach all the necessary means of obtaining information. We have, no doubt, the information of responsible magistrates; we have the information of the constabulary officers; we have the information which can be given us by the officers of the law, and I should be the last person to disparage the value and the accuracy of the information which those officers can give us. Still, even with regard to them, we do not think it will be amiss that their knowledge and experience, that their observations and the results of their observations, should be thoroughly investigated by impartial and independent means. We think that new light may be obtained by bringing new minds to bear upon the Committee. In addition to that, we desire to obtain the assistance and knowledge which can be provided by persons whose information is not readily accessible by the Government. We hope and expect that local magistrates will come forward and give us their information. We hope that employers of labour will come forward and tell us what they know. In short, we hope that persons of all classes and creeds, who are acquainted with the inhabitants, with their habits, and with their manners, will come forward and give us independent information upon this subject. And although, no doubt, the Irish Government have endeavoured to obtain as full information from those sources as they could, still we believe that a Committee of the House of Commons will have the means and opportunity of obtaining further information, and of sifting it in a more thorough and complete manner. That is one reason why we ask for this Committee. And the next reason why we ask for a Committee is in justice to ourselves and the House. It is possible—I do not know how that may be, but it is possible—that the House might, upon the statement I have made, be willing to admit that the case was proved, and to give the Government any powers which they might think fit to ask. But, Sir, I think the House, in taking such a course, would evade that responsibility which properly belongs to it. [*Cries of* "No, no!" *and* "The Government!"] I think, Sir, that the case does not depend on the mere figures which I have been able to lay before the House, nor upon the assertions which I have made, though I think them capable of being proved. I believe that the House has the means of obtaining full and sufficient proof of them, and I think the House would evade the responsibility which belongs to it if they took for granted from any Minister a statement of facts which they themselves have the opportunity of proving to their own satisfaction. The House does not, in ordinary cases, take for granted any statement made by a Minister on the introduction of a Bill; but the House examines for itself all such statements, and the grounds on which they are made. Why, then, in a case like this, when grave and great constitutional questions are involved, is the House to evade its responsibility, and refuse to examine the facts and grounds upon which a measure is to be laid before it? And, lastly, we ask for an inquiry in justice to the people of Ireland. We know the use that will be made by all the enemies of order and peace and of this country in Ireland, of any proposal made by the Government for additional and stringent powers. We know that the use made of it would be extended far beyond the district with which we are particularly concerned with to-night. We know that the evil results arising from misrepresentation would extend over the whole of Ireland, and we therefore think that, before we ask for additional powers, before we expose the whole country to the risk of mischief by asking for this inquiry, it is due to the people of Ireland that they should have the opportunity of coming forward and testifying to the truth or the falsehoods of the statements which have been made with regard to a small portion of their country, or of showing that they have been exaggerated. It is due to them to have an opportunity of saying that these evils exist in Westmeath only, and do not exist elsewhere. It is due to them that they should have an opportunity of denying any participation in these crimes and in this conspiracy. These are the grounds upon which we think we may fairly ask the House to enter with us into an examination of the facts. We do not shrink from any responsibility that properly belongs to us; but we do say that the House, no more than the Government, has any right to evade the responsibility which properly belongs to it. I repeat that, in asking the House for a Committee to inquire into the facts, we have no desire to ask the Committee to suggest a remedy. Upon the facts so established, as I believe they would be before a Committee, the Government will be prepared, as I have said before, to legislate. The Government think the state of things intolerable, and a remedy they are determined to find, if not within, then without, the ordinary limits of the Constitution. Now, as to the terms of the Motion, there are two observations which I desire to make to the House. The first relates to the words in the Motion, "the nature, extent, and effect of a certain unlawful combination and confederacy existing therein." These words may seem to some Members of the House to be pedantic, but they have been chosen as the description applied to the Riband conspiracy in a former Act of Parliament. These words have been chosen to show the nature of the inquiry into the state of Westmeath, and the nature of the conspiracy generally known by that name. The other observation is this—that I have added at the end of the Motion that the Committee are to inquire into "the best means of suppressing the same." Now, these words form part of the Motion, because I thought it probable and desirable that many witnesses who would come before the Committee, would wish not only to state the facts with which they are acquainted, but to state what in their opinion is the remedy that should be applied. I do not think it the least desirable that the witnesses should be precluded from giving their opinion on this subject. But I am quite aware that those words have been misunderstood and misapprehended. I am quite aware they have been misunderstood as meaning that we have asked the Committee not only to enter into an examination of the facts, but to provide a remedy. I am glad to state that that is not the meaning of the Government, and rather than that any false impression of the sort should exist, I will willingly consent either to alter the words referred to, or to omit them altogether, provided always it be understood that the witnesses shall not thereby be precluded from expressing an opinion as to the remedy they would suggest. Now, I come to one point of which a great deal has been made, and in respect to which much misapprehension exists, and that is the Notice which I gave upon the matter, but which does not form any part of the Motion — namely, that the Committee should be a Secret Committee. When the Government decided to move for the appointment of this Committee, we considered what evidence it would be possible to bring before it. In addition to the evidence to which I have already referred, it appeared to us that a good deal of evidence, and probably a good deal of valuable evidence, might be obtained from persons resident in the country, if they were not under the apprehension that their evidence would be published in the newspapers. It was thought desirable, therefore, that the Committee should have the power of giving gentlemen who may be willing to be examined the protection of secresy. It has been my duty to examine the question as to what sort of protection the Committee could give. I found that there are only two descriptions of Committees known in this House—the ordinary Select Committees and Committees of Secresy. The only difference between the two, I believe, consists in this—that a Secret Committee is one at which not even a Member of this House has a right to be present. The ordinary Select Committee has a right of excluding the public whenever it thinks fit, but, of course, secresy in the case of any particular witness would be defeated if one or two Members of the House insisted on the right of being present. Therefore, following the precedents which we have upon the records of this House, I gave Notice on the part of the Government of their intention to make this a Secret Committee—that is to say, to the extent of giving the Committee power to exclude the public and also Members of this House whenever, in the opinion of the Committee, this was necessary for the protection of witnesses. But there never was any intention—and if hon. Members will refer to the precedents they will find that the appointment of a Secret Committee does not necessarily involve any intention—of making this a Committee to sit altogether with closed doors. It was always intended that the question of secresy should be left entirely to the Committee itself; that the greater part of its investigations should be conducted as usual, but that they should have the power of affording to witnesses the protection of secresy whenever in their opinion this might become necessary. But I am not surprised that this part of the subject has led to a great deal of remark, and has been very much misunderstood; and I will frankly admit to the House that the precedents to which we must go back for the appointment of Secret Committees are not precedents derived from the best periods of our history. It is not satisfactory to go back to the years 1812 and 1818 for precedents of Secret Committees to inquire into public matters. It is true that there has been, at a later date, a Committee of Secresy, but that was an investigation of a very different nature—an inquiry into the Bank Acts. But to go back to precedents which are strictly applicable to this case, we should have to refer to the precedents of 1812 and 1818. The Government, seeing how much this matter has been misunderstood, have considered the matter again, and they prefer rather to make a deviation from the established practice than return to those precedents. We propose to leave the matter of secresy entirely in the hands of the Committee. We propose that the Committee shall be appointed precisely in the ordinary manner; and if, in the course of their inquiry, they should think that by sitting with closed doors they can obtain evidence which they would not otherwise procure, then the Committee will come to the House and ask for the necessary authority, and the Government will give them all the assistance in their power. ["Oh! oh!"] That is the way the Government proposes to leave the matter. I myself do not believe it makes much difference whether the Committee is a secret one or not. I believe that witnesses such as I have described will be willing to come forward whether the Committee is a secret one or whether it is not; if they would be afraid to come and give their evidence openly it is very probable they would be afraid to give it even before a Secret Committee. Still, if the Committee should think that they would be able to obtain evidence in this manner which otherwise they would be unable to do, it will be always in their power to come to this House and ask for leave to sit with closed doors. I am told that the appointment of this Committee is going to be opposed. I do not know upon what ground the opposition will rest. Certainly, I shall be surprised if it be opposed by hon. Gentlemen on the other side of the House. For there is a precedent in point; it is not necessary to go back to 1812 or 1818, for the appointment of a similar Committee. I find that in 1852 a Committee to inquire into a very similar state of things in the counties of Armagh, Monaghan, and Louth was appointed by this House on the Motion of Mr. Napier, the Irish Attorney General of the Government with which the right hon. Gentleman opposite (Mr. Disraeli) was then connected. That Committee was appointed without any such statement on the part of the Government as I have been authorized to make to-night—that the Government were prepared to take any responsibility whatever in putting an end to the existing state of things. Mr. Napier, on the part of Lord Derby's Government, simply told the House of the state of things in those counties, and asked for a Committee to inquire into the facts and to suggest a remedy. The Government, as far as I can see, took no responsibility whatever upon themselves for the appointment of that Committee. As far, also, as I am able to discover, no person in this House took any objection to the appointment. Therefore, whatever may be the grounds upon which the appointment of this Committee is going to be opposed to-night, I can hardly imagine that hon. Gentlemen opposite, who have set us the example of resorting to this means of obtaining information for themselves, will grudge us a like opportunity of obtaining information which we are anxious to acquire. I am perfectly aware that the proposal I now have to make will expose us to innumerable taunts as to the failure of what is called our system of remedial legislation. I know that, very shortly, we shall hear some criticisms, not of the most agreeable character, upon remedial legislation in general, and upon our policy of conciliation. But even if the proposal which I have now to make involved the most ample confession of mistake and failure, I believe Her Majesty's Government would not shrink from proposing to Parliament that which they felt it the duty of Parliament to undertake. But I beg to say for myself, and for the Government, that I do not feel in the least that I appear here in the character of a penitent in a white sheet, or that the proposal which I now make involves any confession of failure on the part of the Government. I certainly never heard any Gentleman on this side of the House say that the establishment of religious equality or the passing of a law regulating the tenure of land in Ireland would put a stop to the Riband conspiracy. I think it would have been the height of insanity for anybody to say so. I cannot see on what possible ground it could be imagined that the establishment of equal and just legislation should have any effect on the minds of men who have a system of laws of their own—not just laws, but the most unjust, the most arbitrary, the most tyrannical, and the most barbarous. I cannot conceive what sympathy such men could have with good legislation. And, therefore, I cannot imagine on what grounds it could enter into the mind of any man that justice, as applied to Ireland, would have the immediate effect of putting down Ribandism. I know it has been said—and I believe it to be true—that Ribandism and other forms of disaffection in Ireland derive their chief strength from the sympathy of the people. I believe that this strength is partly derived from this sympathy of the people, and partly from the fear which these organizations inspire in the minds of the people. But I believe, also, that sympathy with these forms of disaffection is waning day by day under the influence of just government; and I believe that the Government will, with the assistance of this Committee and of the House, be enabled to pass such measures as will, in a short time, put an end to that fear which is the other formidable weapon in the hands of these conspirators.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same."—(*The Marquess of Hartington.*)

Mr. DISRAELI said: The noble Lord commenced his observations by confessing the sentiment of dismay with which he rose to make the proposition with which he has terminated his speech, and I quite sympathized with the noble Lord. I thought it was a sentiment most natural, and it did him great honour, in my opinion, to be under its influence at that moment. Considering how the House of Commons has passed the last two years; the sacrifices which have been proposed and which have been submitted to, the unceasing vigilance, the teeming device, the constant energy, the great exertions that never have been wanting; remembering how legislation has been carried on to the exclusion of all subjects of Imperial interest but those which related to Ireland; how England has submitted to the postponement of measures of great importance, and Scotland has given up that darling scheme of national education which we have found so interesting and entertaining this evening; and viewing what apparently is the result of two years of constant legislation by a Government elected for the purpose of introducing an entirely new system in the administration of Ireland, and which cannot for a moment pretend that it has not been supported generously by the House in any of the measures which it deemed necessary to consummate this great end, I can quite understand, or, at least, I could quite understand, until the closing observations of the noble Lord, that he rose under a feeling of some dismay. But, according to the noble Lord, in his concluding sentence, there is no reason whatever why he should be dismayed—the state of Ireland at present, in the instance of this disturbed county and the adjoining districts, is exactly that which we ought to have expected. He tells us that religious equality, that agricultural equity—great ends which have been attained under his administration—were never for a moment to be counted on as a means by which a state of society such as he now introduces to our notice could be ameliorated. If that be the case why should the noble Lord be dismayed? The noble Lord should pluck up his courage. If he is to succeed in the singular proposition he has made to-night, he should have come forward, not as a daunted, but rather as a triumphant Minister. He should have said—"It is true that murder is perpetrated with impunity; it is true that life is not secure, and that property has no enjoyment and scarcely any use; but this is nothing when, in the enjoyment of abstract political justice—and by the labours of two years we have achieved that for Ireland—massacres, incendiarism, and assassinations are things scarcely to be noticed by a Minister, and are rather to be referred to the inquiry of a Committee."

Now, after the somewhat perplexing address of the Chief Secretary of the Lord Lieutenant, let me recall the attention of the House to the position in which hon. Members find themselves to-night, after the Notice which was given 48 hours ago. Suddenly the Secretary of the Lord Lieutenant comes down and announces the appointment of a Secret Committee to consider the state of a portion of Ireland, and not only to consider its state of combination and confederacy against the law, but also to devise means for suppressing the same. That was the way in which the question was put before us. Now, however, we are told it is not to be a Secret Committee; but have the Government well considered the effect of making such an announcement to the world, and expressing an opinion that it was necessary to have a Secret Committee to consider the condition of a portion of Ireland? Why, the telegraphic cable must have flashed the announcement to America 48 hours ago, and what do you think must have been the effect of it on those treasonable confederacies which are always in action—and are at this moment in action, as we know—against the authority of England? What must have been the effect of such an announcement? It must have produced a conviction in their minds that the Government found the whole state of society in Ireland undermined, and that the authority of the Queen was in imminent danger. To announce 48 hours after this that it is not the intention of the Government to propose a Secret Committee, indicates a tone of levity in dealing with a great question which ought not to pass unnoticed. Surely a Minister who proposes a Secret Committee on the condition of Ireland, by that proposition alone incurs the gravest responsibility. Now, to-night we find it is not to be a Secret Committee, and then, to our great surprise, we find it is also a Committee which is not to devise means for remedying the evils complained of. Then what is the Committee to do? Observe the description of this district of Ireland, where there are not only these evils, but these spreading evils—observe the description of it given by the Minister. It is brief, and terse in the extreme. He tells us it is intolerable. He tells us the state of Ireland is intolerable—["No, no!"]—that the state of a great portion of Ireland is intolerable, and therefore will want inquiry. ["No, no!"] Well, that the state of a county in Ireland is intolerable. Is it reduced to that? Is a county in a state so intolerable that you must come to a Senate to ask for a Committee to inquire into it? Can you not get out of the difficulty without coming to the House of Commons, and asking it to appoint a Secret Committee to devise means to govern a county? Well, Sir, secresy is given up and devising means are given up; so the question is—"What is this Committee to do?" Every impartial Member on either side of the House must have felt the difficulty, and asked himself that question. Why, the Secretary of the Lord Lieutenant gave us ample explanations as to the various means by which he might have gained complete information on all points which the Government required to guide them in order to meet the evils of this district; and, indeed, under the very Act which we passed last year, they have powers—extraordinary powers; so that, for instance, if there is a felony committed in a district, they can summon witnesses before them and examine them, even although such witnesses may not be connected with the felony. Why, what power has a Committee of the House of Commons, compared with this power? I would impress on the House the inexpediency of assenting to a Committee which is to relieve the Government from their responsibility as an Executive.

But the noble Lord, who says he will never appear in the sheet of a penitent, and holding the taper of remorse, told us to-night that, whatever the original intentions of the Government were, it is not their intention now to ask this Committee to devise any means to suppress the evils of which they complain, and which they describe as intolerable. I would say myself at once that, so far as I am concerned, I am perfectly prepared to support the Government in any demand they may make upon their own responsibility to terminate an evil which they describe, and I believe justly describe, as intolerable. There is no need to enter into an antiquated history of the horrors of Ribandism to induce the House of Commons to come to this conclusion. We know the evil. We have long heard of the evil, and of the perpetration of these new crimes and these new horrors; and I was only astonished that in Her Majesty's gracious Speech from the Throne they were not referred to with more distinctness. We have recently had from the Lord Lieutenant of Ireland an announcement with reference to them which prepared us for the legislation which I suppose the Government will come forward and propose; and if the Government would come forward and propose a remedy, I think I might venture to answer for every Gentleman on this side of the House that he would give it an unflinching support. The evil is intolerable and ought to be put down, and we are prepared to support Her Majesty's Government if, in the exercise of their constitutional functions, they come forward and propose a measure, instead of asking the House of Commons to enter upon an inquiry into the matter. The matter is urgent, and the business of a Committee is necessarily always long. A Committee—to do what—to examine officers of the Government, to examine magistrates, to call for information from a miscellaneous multitude of witnesses? Why, a Committee of Inquiry for such purposes is always in existence. It is the

Cabinet of the Queen. They have the best information, and they are selected men, who are supposed to be most competent to decide on that information; and on the results of their deliberations and on their convictions they ought to introduce a measure, and not move for a Committee, when the state of an Irish county is intolerable. Let the Standing Orders be suspended if the case is urgent.

The noble Lord has made some reference, from that richness of precedent with which he has been crammed on this occasion, to what occurred in 1852, and, in the midst of the distress of this regenerating Government of Ireland, supported by a hundred legions, and elected by an enthusiastic people, in order to terminate the grievances of that country and secure its contentment and tranquillity he must needs dig up our poor weak Government of 1852, and say—"There was Mr. Napier, your Attorney General, he moved for a Committee, and you were a Member of that Cabinet." If I had had a majority of 100 behind my back I would not have moved for that Committee. I did the best I could, and I passed a good Bill by a respectable majority. But was the situation in which I was placed similar to the situation of Her Majesty's present Ministers? Look for a moment to the relations which this Government bear to the House of Commons with regard to the administration of Ireland. The right hon. Gentleman opposite (Mr. Gladstone) was elected for a specific purpose; he was the Minister who alone was capable to cope with these long-enduring and mysterious evils that had tortured and tormented the civilization of England. The right hon. Gentleman persuaded the people of England that with regard to Irish politics he was in possession of the philosopher's stone. Well, Sir, he has been returned to this House with an immense majority, with the object of securing the tranquillity and content of Ireland. Has anything been grudged him? Time, labour, devotion—whatever has been demanded has been accorded, whatever has been proposed has been carried. Under his influence and at his instance we have legalized confiscation, consecrated sacrilege, and condoned high treason; we have destroyed churches, we have shaken property to its foundation, and we have emptied gaols; and now he cannot govern a county without coming to a Parliamentary Committee! The right hon. Gentleman, after all his heroic exploits, and at the head of his great majority, is making Government ridiculous. If he persists in this absurd suggestion I shall leave it to fortune to decide what may be its results. If he will bring forward a measure—an adequate measure—a measure which will meet the evil, he will be supported. The late Secretary of the Lord Lieutenant (Mr. Chichester Fortescue) knows very well what is the measure that will meet the evil, because he plaintively asked the magistrates at Meath what he should propose to help them out of their difficulties, and they met in quarter sessions, passed a resolution, and told him what was necessary. What the magistrates told the late Secretary of the Lord Lieutenant will be the groundwork, the gist, and the pith of the measure which Her Majesty's Government must bring forward. Under certain circumstances they will have to suspend the Habeas Corpus Act; but after the flashy speeches of the right hon. Gentleman opposite upon that subject we must have a Parliamentary Committee as a veil in order that he may save his self-love.

Mr. Serjeant SHERLOCK, who had given Notice of his intention to move the Previous Question said, that the noble Lord the Chief Secretary for Ireland originally gave Notice of his intention to move the appointment of a Select Committee, including an inquiry not merely into the disturbed state of the county of Westmeath, but of a portion of the county of which he had the honour to represent (King's County), as well as of the county of Meath, and also the best means of suppressing the same. As representing one of the counties to be affected by the inquiry—an inquiry which in its terms suggested legislation to follow upon inquiry—and that inquiry being suggested as of a secret character, he deemed it his duty to his constituents to give Notice of his intention to oppose the formation of that Committee. The omission of the element of secresy materially altered the nature of the case. Secresy naturally suggested suspicion. No matter how high might be the character of that Committee—no matter how respectable might be the witnesses summoned before it, the moral impression left on the country arising from a secret inquiry and the decision of a secret tribunal would never have satisfied those who would have been effected by the legislation that the inquiry had been fair and impartial. The result of all legislation, in reference to crime ought to be not merely to prevent crime, but to satisfy those in the community who had no sympathy with the criminals that justice had been done. The investigation before the Committee would not have obtained that result. He submitted, however, that the suggestion of the noble Lord, although an alteration in terms of his original Motion, would still leave on the minds of the people of Ireland the impression of secresy, because he had informed the House that the Committee would have power to apply to the House from time to time for powers enabling them to exclude strangers, and carry on their investigations with closed doors. Now, the Committee, consisting of a large portion of official Members, would, he presumed, think it their duty to accept the suggestion and adopt the hint thus thrown out. And the Committee, whether directly secret or indirectly secret, would never satisfy the people that the inquiry had been a fair one, and that no undue means had been resorted to in order to obtain information which was not strictly accurate, and did not represent the actual condition of the parts of the country affected. It was a very important fact that in King's County, which would be affected by the inquiry, there had not been a single murder since 1869; and, therefore, so far as that county was concerned, there did not appear to be any pressing necessity for legislation to suppress any increase of crime in that county. The noble Lord had stated that the means which had been resorted to consequent upon the legislation of last year, had been of the most strenuous and energetic character. The country had been patrolled, a Special Commission had been appointed, the police had been increased, and every power that could be used by the Government had been brought into operation. And all to do what? To restore peace to this county, which had been destroyed by a very small band of men, who, if they were not affected by the entire power of the British Government—who, if they were not subdued by its patrols and increased police, still continued in the exercise of their nefarious pursuits, notwithstanding the coercive legislation of the Government, because we had had these inquiries, and this legislation, and these Preservation Acts year after year—and the Act of last Session was suggestive of this—that it referred to various Acts of Parliament commencing 30 years ago, all of them having the same objects in view, all of them being coercive in their character, and all of them failing to procure the end which was now suggested as the result of this present inquiry—the unity of Ireland. Well, it appeared to him, that if coercive measures had failed, they should look to some other measures — to some other cause for the origin of these offences, and to some other means of repressing them. The cases adverted to by the noble Lord were not agrarian offences. The murder of a steward arose out of a private quarrel, and that of the process server from a too strenuous discharge of his functions; and in neither case was the original cause of quarrel any dispute about land. It might be said that the well-conducted portion of society ought to have no objection to the introduction of a measure which would merely affect the ill-disposed, and those who were likely to commit crime, and which would not prejudice or affect those members of society who were not amenable to the law, because they had not committed such crimes. But they had been told by the noble Lord that additional sums had been imposed for the employment of supernumerary policemen, consequent on the committing of the crimes. Now these Peace Preservation Acts had operated sometimes with considerable injustice to those who had in no way participated in the crimes committed. As an instance in point, he might refer to the case of the King's County, in which there had been only one attempt to murder in the course of the last six months. It was a very extraordinary case, and one illustrating the hardship which resulted from the passing of these coercive measures to those who had no connection with the crime. The case was this—A small farmer, with seven acres of land, became embarrassed in circumstances several years ago. Being unable to pay his debts, he made over his farm to one of his creditors, and went to America. After living in America for a number of years he returned home, and hearing that his creditor had repaid himself by the possession of the farm, he asked him if he would restore it. The new occupant refused, and disputes and altercations arose, and the landlord, a gentleman of small property, kindly interfered to restore peace, but without effect. The debtor returned to America, but intimated, on going away, that he would have his revenge, and shortly after he left this country his creditor was fired at one Sunday on his way to church. His wife was wounded. Now, what had been the result? Additional police had been placed on the townland in charge of the house of the man. The burden of this would fall on the tenants of the gentleman who tried to reconcile these parties—very small tenants and poor men, and if they paid this assessment they would not be able to pay their rents. In addition, the domain land of the gentleman was also largely assessed. Now, there was the man who had exerted himself to the very utmost of his power to prevent this crime made to suffer for it. In a parish in Westmeath, in consequence of an exemption of Protestants from a similar tax, a meeting was held, and a resolution passed by the Catholics, condemning the invidious distinction as one only calculated to excite and sustain religious animosities, and tend to promote disorder; and the meeting protested against the assumption that Catholics were not as loyal as Protestants, and declared that they were as loyal. In the raising of such a tax there was a departure from strict impartiality; and if this Committee were appointed, he would suggest that the inquiry should be extended to the mode in which these assessments were levied, and whether there had been any partiality in the levying of them. The noble Lord the Chief Secretary for Ireland had borne testimony to the general tranquillity of Ireland. He could say for his own county—of King's County—that peace did prevail, except in regard to the very small portion where intruders came from the county of Westmeath. All borderers were troublesome. He should not have addressed the House if the inquiry had been confined to the county of Westmeath. He should have left that duty to the hon. Member for the county of Westmeath. But in the name of the King's County he must protest against this proposal. He objected to legislation following legislation. There was also an Act in full force—an Act supported by the entire power of the British Government—giving perhaps necessary, but unconstitutional, powers to the Government of Ireland. These powers would continue in force until August next, and he felt that the present measure to follow upon this inquiry would not lessen the evil, and that measures of a different kind must be resorted to to eradicate, from time to time, the spirit which prevailed, unhappily, in small portions only of Ireland.

Previous Question proposed, "That that Question be now put."—(*Mr. Serjeant Sherlock.*)

MR. G. E. BROWNE said, he regretted, that the first time he had the honour to address the House, that the subject of debate was one of so unpleasant a nature and relating to Ireland. He would not occupy the time of the House but for a very brief period, whilst he endeavoured to show that this Select Committee, as moved for by the noble Marquess the Chief Secretary for Ireland, was inexpedient and unnecessary. Now, if there was not at present a Peace Preservation Act in operation in that country then there might be some grounds to apply for a Select Committee to inquire into the present state of the county of Westmeath and portions of the adjoining counties. But with that Act in full force, he could not see the necessity of adopting so unusual a course. He was at a loss to know, if those counties were so disorganized or in such a state as the noble Marquess had described, why the local authorities were unable to contend that the Peace Preservation Act was ineffective. He believed if this Committee was appointed its labours would be fruitless and abortive, and might have an effect that none of them desired—of irritating the minds of the people and estranging them still further from the Government of this country. The right hon. Gentleman at the head of Her Majesty's Government had shown his disposition to deal fairly and justly towards Ireland, as proved by the Land Act of last Session, and the Church question of the Session before, and he had no doubt the people felt grateful, and fully appreciated his efforts in their behalf. He would only say that there was no one deprecated and deplored so much as he did the unfortunate existence of those secret combinations so detrimental to the advancement of the peace and prosperity of that country, and he was grieved to have heard from the noble Marquess that the county of Westmeath was as he had described it; but he rejoiced to have heard him say that the other portions of Ireland were in a peaceable state. But he (Mr. Browne) could not approve of the remedy the noble Marquess proposed when he considered that the Irish Executive was invested with ample power to meet and suppress the evils complained of. He should, therefore, support the Amendment.

MR. W. H. GREGORY said, the debate showed that there were, to use the words of a famous statesmen, three courses in that case open to the Government. They might either take the course recommended by the hon. and learned Gentleman below him (Mr. Serjeant Sherlock), and also by the hon. Member who had just sat down, and that was to do nothing; or else the course recommended by the right hon. Gentleman opposite (Mr. Disraeli) who had suggested that the Government should at once act on their own responsibility; and then there was a third course, the one actually adopted by the Government—namely, to ask for an inquiry previously to legislating. As to the remarks that had fallen from his hon. and learned Friend below him, he must say that he had listened to them with surprise. How could he think that we could longer endure the state of things now going on in a part of Ireland, which was a scandal and disgrace to civilization? Why, within 12 hours of the Chamber in which they were assembled there existed a reign of terror, where the evil passions of vindictive men were the only law that was recognized; where secret tribunals issued their decrees, which were executed in the open face of day with as great a certainty as the certainty of impunity. It was perfectly impossible to acquiesce in such a state of things, which was only equalled by the condition of Southern Italy a few years ago, and by that of Greece at the present moment. The hon. and learned Gentleman affected to say that these outrages were not to be dealt with because they were not agrarian. He believed himself that in a great number of cases in Westmeath these outrages were not agrarian. They occurred in connection with all the varied business transacted in daily life. A man employed a herd or a shepherd and dismissed him for neglect; the secret edict went forth, and the shepherd's successor was instantly shot. The station-master at Mullingar dismissed a railway porter for his neglect of duty, and that station-master was shot. The company which owned a great railway traversing that district dismissed the guard of a train, and because the chairman and directors could not be met and shot down at noon-day, stones were repeatedly placed at night in the way of the mail train to upset it and wreak that most dastardly kind of revenge. That was the real state of the case: a law of terror, and not only that, but threatening letters falling—as the right hon. Gentleman (Mr. Gladstone) had described notices to quit as doing—like snow-flakes on every house in a county for many miles round. What if, in certain districts, murders had for a time ceased! But why was that? Because the whole county was so paralyzed with terror that no man durst do a single thing against the will of those secret tribunals. The contrivers and perpetrators of those outrages were perfectly well known to the police and the constabulary, but they durst not lay a hand on them because there would be no evidence forthcoming. When an hon. Member below him attempted to stop repressive measures in circumstances like those it should be borne in mind that that was not a landlord's question; it was essentially the question of the poor man and the peasant. The landlord might retire to London or to Dublin, and be safe from the assassin; if he chose to remain in the country he could go out and take his "constitutional" with a couple of agreeable constables; or if he liked to take an airing in his car, he could do it accompanied by the same officials with their rifles cocked and ready for action. How very different was the poor man's position. When he infringed any of the decrees of that secret tribunal, he knew that if he went to market, he knew his steps were watched; if he was lucky enough to return home safe, there was not a night on which he did not lie on his bed in fear and trembling lest his door might be burst open and himself placed on his knees and shot dead like a dog before the eyes of his wife and family. That was the state of things, and there was no palliation for it, no excuse. Years ago there was such a thing as the wild justice of revenge. When flagitious acts were committed by owners of land, driving people forth on the wide world, doomed to starvation and death, then, no doubt, in the last extremity of despair, men executed a bloody vengeance that could not, perhaps, be much wondered at, though it could not be defended. But those days had passed away; legislation had taken care that those acts of landlord injustice should not continue to be perpetrated, and there was now the fullest reparation for them. Therefore let them hear no more that nothing could be done. Something ought unquestionably to be done to put down a state of things disgraceful to a civilized nation. Then came the second point, and the right hon. Gentleman the Member for Buckinghamshire said — "Oh, you should have come down at once and we would, in the most generous manner, have given you with open hands and open hearts any powers you liked to ask for." Now, he was sorry to say he was old enough to recollect certain transactions of the year 1846, when a great Minister came down to that House when Ireland was convulsed by outrage, and asked for additional powers to repress the evil. What then did the right hon. Gentleman opposite and the allies he borrowed from the other side do? They said that Sir Robert Peel was a man not fit to be intrusted with those unconstitutional powers, and they drove from Office the man who, above all others, was the most scrupulously constitutional Minister that ever ruled over this country. The right hon. Gentleman opposite was a good master of combinations. Were they so sure that if the Government had come down at once and asked for extra powers they might not have had a declamation equally strong and vigorous as that of that evening, inveighing against the Government for venturing to ask for powers which ought to be denied any Ministry? Would not the right hon. Gentleman opposite have turned to Gentlemen below the Gangway, and asked them whether they were prepared on the mere *ipse dixit* of a young Secretary for Ireland to violate the liberty of the subject, and accede to that most extraordinary request? Then there only remained one other course—namely, the one submitted to them by the Government, and he should support it. He believed it was necessary to examine witnesses, necessary to convince the House and the country that the state of things which he had described existed; and then, when the Government were enabled to justify the powers they asked for by evidence which had been properly tested and sifted, he was convinced that the House would readily grant them such powers as would enable them to redeem Ireland from the disgrace and loss of character from which she suffered at present. He did not believe that party spirit, however strong it might be, would induce any Gentleman, no matter on what side of the House he sat, to tamper with assassination.

MR. GATHORNE HARDY: Mr. Speaker, I ask myself if it is possible, after the speech which the hon. Gentleman has just addressed to the House, that we can on any ground fail to proceed at once to put down this system of terrorism and intimidation which he has described to us. The hon. Gentleman has dared to say here that the police can put their hands on these assassins, and yet he has ventured to call upon this House to delay, and to leave these unhappy people who for more than a year have been living under the system of intimidation and terrorism, so to continue for the sake of having a Committee of Inquiry. He is willing to leave them to linger in this condition while we have an inquiry. The noble Lord (the Marquess of Hartington) has newly come into the office of Chief Secretary for Ireland, and I am sorry to see that the beginning of his official experience in connection with that country has been so inauspicious and of so unsatisfactory a character. He is to be pitied in this matter; but he takes the office with all its responsibilities, and he finds that his first duty is to take the chesnuts from the fire which had grown too hot for his predecessor. The right hon. Gentleman (Mr. C. Fortescue) has retired from his business, and left the noble Lord to do the most disagreeable part of it. It will, perhaps, be remembered that early in the Session of 1870 this very county of Westmeath was mentioned in connection with Meath and Mayo as one of the disturbed districts in which there was a dangerous and formidable amount of intimidation and terrorism. But let me ask the hon. Member for Galway (Mr. Gregory) why he is afraid that we will not give the Government those powers that they may want for the repression of this state of things? When they came to Parliament for the Peace Preservation Act, did we not support them with both voice and vote, and did not we tell them that we would have given them even larger powers if they had asked for them, as we knew what the system of terror and horror which existed was? In this county of Westmeath there are people who, day by day, dare not stir from their homes without the defences which the hon. Gentleman has spoken of. There are husbands—gentlemen in the same position as yourselves—who never leave home without their wives expecting them to be brought back corpses. These things are happening every day, and the Government tell you to inquire! I say that this is a mockery and a folly. Even now the noble Lord tells you that he knows the remedy already—he does not come to ask for that, he knows what it is. There is no information to procure so far as the Government is concerned—they have it all in their possession already. The right hon. Gentleman who was Secretary for Ireland, the Attorney General for Ireland, and everybody who has been connected with that country, know that all these things exist, and that Westmeath cannot be dealt with by the Peace Preservation Act, because when you put the law in force, these things still exist in spite of it. Conspiracies exist and are carried on in open day, and the police know the men who are concerned in them and if the Habeas Corpus Act were to be suspended to-morrow, they would be able to put their hands on them in a moment. I tell you that it is a fact well known to the head of the Government and to the noble Lord that they could to-morrow, if they chose, put their hands on the perpetrators of these acts. I feel so strongly on this question that, if the Government would do something, I would not stand in their way. Rather than we should have a mean, cowardly, dishonourable giving-up of duties of Government, and that nothing should be done, I would even vote for this Committee. The Government has undertaken so much, has promised so much—although the noble Lord tells us that these hopes have never been held out. Why, it was only yesterday that I came across a speech which reminded me of the sort of hope they had held out. What said the right hon. Gentleman, whose voice I am sorry to say is at present silent in this House, but whom, I trust, we shall soon hear again? The right hon. Gentleman who was at the head of the Board of Trade (Mr. Bright), speaking in January last of the legislation of the Government, told us, as he had done in former times, that there was no statesmanship in acts of force and repression, for that men the most clumsy and brutal could take such measures. What we wanted, he said, were men of higher genius, and he marked out the right hon. Gentleman; we wanted men of the highest patriotism, and no doubt he felt that he and those who were working with him were men of that class, and that these were the men to remedy the evils of Ireland. He said—

> "'All crime shall cease, and ancient frauds shall fail;
> Returning Justice lift aloft her scale;
> Peace o'er the realm her olive wand extend,
> And white-robed Innocence from Heaven descend.'
>
> This may appear the language of great exaggeration, but if we are able to banish agrarian crime, if we can unbar the prison doors, if we can reduce all excess of military force, if we can make Ireland as tranquil as England and Scotland now are, then, at least, we shall have done something to justify the wisdom and statesmanship of our time."

Yet, at this very time, the same crimes are being enacted in Westmeath, the same dark conspiracy exists as then, and yet you come for no further powers. The right hon. Gentleman near me (Mr. Disraeli) asks why you do not come to Parliament for the necessary powers to enable you to deal with this terrible state of things. The reason, no doubt, is because the right hon. Gentleman at the head of the Government has used such strong language with respect to the Habeas Corpus Act that he wants the House of Commons by a Committee to give him some sort of sanction for the measure he finds it necessary to ask for. When last year the right hon. Gentleman was asked—was urged, to apply to Parliament to suspend the Habeas Corpus Act, he said he could not do so, that he would never do so except we were on the immediate verge of a civil war. In addressing his constituents in Lancashire, he distinguished between the policy of those with whom he was acting and that of those who sat on this side of the House. But now he has found that his remedial measures have failed; that his Peace Preservation Act has failed; that the men, women, and children whom he is bound to protect in this county in Ireland—for he is responsible for their protection, and every day and every hour that he does not bring forward measures for their efficient protection increases his responsibility—are in danger of their lives. I say, with a full sense of the difficulties of Government, and without wishing to taunt those who sit opposite, that when murder stalks abroad, when crime of that kind which makes every household a misery and a trouble to itself is prevalent, and when the Government merely comes down here and asks for a Committee, it is a Government which, if the right hon. Gentleman will allow me to employ a word which he used with so much emphasis the other night—it is a Government which makes itself contemptible.

Mr. CHICHESTER FORTESCUE: If the hon. and learned Gentleman who moved the Previous Question just now (Mr. Serjeant Sherlock) greatly underrated the gravity of the circumstances with which we have had to deal in a small district in Ireland, I think that the passion of the right hon. Gentleman who has just sat down has led him grossly to exaggerate the condition of affairs. ["No, no!"] When I use these words I understate my conviction of the effect of the observations of the right hon. Gentleman. The right hon. Gentleman has taunted me with not having dared to propose to this House measures for the suppression of agrarian outrages in Ireland. Such taunts come strangely from a right hon. Gentleman who sat opposite to me this time last year, when it was my duty—from which I did not shrink—to propose measures more stringent, more effective, than any that have been proposed at any time within the memory of the present generation of public men—["Oh, oh!"]—more efficacious in their conception and in their result. The condition of things with which we have to deal is certainly singular, and therefore well deserving of the consideration of this House, and of Members of this House in whom we can place confidence. The Act of last year, not, I am happy to think, standing alone, but combined with the great remedial measures of that and of the previous year, has, as every person in Ireland knows, effected a marvellous change in the country for the better. [*Laughter.*] I hear a laugh from those hon. Members who have not had the opportunity, or have not taken the trouble, to ascertain the real state of the case for themselves; but I appeal to every fair man, of every creed and party in Ireland, as to whether what I say is not true, and whether the legislation of the Government, taken as a whole, including their measures for the preservation of peace and order, have not, in the short time that has elapsed, proved to be of the most remarkably satisfactory character. That is a fact acknowledged by every man, woman, and child in Ireland. Very different views are taken of this subject outside from what are held inside this House. I know that there are some hon. Members within these walls who hope for the failure of measures which come from their opponents—who long to see the failure of measures which have cost the Government and Parliament infinite thought and labour. ["Oh, oh!"] Yes, there are minds, at all events, that catch at the first excuse for believing that failure has taken place. But this is not the case out-of-doors. It is perfectly well known in Ireland that we have succeeded beyond expectation, and almost beyond hope, in improving the condition of the country, and that at no time within memory has Ireland been so prosperous, so calm ["Oh, oh!"]—I know what I am speaking of—I repeat, so prosperous, so calm, so confident of the future, so contented, so loyal as she is at the present moment. But those measures having failed in a very small portion of the country, is it so extraordinary and so unreasonable that we should come to this House to ask it to appoint a Committee, consisting of some of its best, its most capable, its most trusted Members to examine into the causes of this exceptional and limited failure? If that Committee be appointed we shall be most happy to lay before them all the facts connected with the subject, and they will be enabled to say whether we have failed in any point in giving full effect to the powers which we possessed. Although I readily admit that the information so to be obtained will be of value to the Government, still I believe it will be of equal value to the House as enabling them to ascertain beyond dispute the facts and causes of this want of success, which, as I have said, has been limited and exceptional. The right hon. Gentleman the Member for Buckinghamshire has alluded to the state of Ireland in 1852; but I say that any accusation that could be brought against the present Government at the present time would apply with double force to the Government of 1852, because I venture to say that the state of things in Ireland at that time was far worse than it is now. Sir, our standard of measurement has risen, I am proud to say, since those days. We do not pretend to be satisfied with the condition of certain districts in Ireland, or to tolerate the state of society that might have been tolerated in 1852. We have done our best to remedy some of the greatest and most admitted grievances of Ireland. We have kept the peace, at the same time, by introducing measures of an exceptional nature, no doubt, but which we thought were justified by the circumstances, and the wisdom of which has been proved by their success. We think that when we find existing a singular exception to that rule we are justified in asking the House to look into the matter in association with the Government. And if Members chosen by the House will look into the case free from the passionate partizanship of the right hon. Gentleman who has just sat down —["No, no!"]—his passionate but genuine partizanship—and free from that more calculating partizanship which we heard from the Leader of the Opposition at an earlier period of the evening —if they will approach it in the spirit of Sir Joseph Napier, the then Attorney General on the opposite side of the House, who said he would think himself disgraced for ever if he were to use such a subject as a party question—then I believe that they will be able to render a service to the Government, and to the cause of peace and order in Ireland.

VISCOUNT SANDON really felt that the time had come when it was absolutely necessary for some English Member to speak out plainly his mind with regard to this constant intrusion of Irish subjects upon the very gravest hours of the Session. The House had freely spent a large amount of time in considering, with the greatest care and tenderness, the real grievances of Ireland, and no one on that side of the House had felt that the time had been lost, however much they might have regretted the measures which had been brought under their consideration. They one and all entirely and heartily discarded those feelings to which the right hon. Gentleman the President of the Board of Trade (Mr. C. Fortescue) had allowed himself to give currency, when he expressed a supposition that any hon. Member on that side of the House rejoiced in the failure of measures honestly designed to conduce to the welfare of Ireland. But it was utterly impossible that they, as men of sense, could forget the bitter cry of distress which arose from the Irish Secretary when he rose to propose the measure the House was then considering. He could see that the noble Lord, with his faltering voice and downcast air, was deeply and solemnly affected by the task put into his hand. The House could see that it went to the heart of the noble Lord as an Irish proprietor, and pierced his very soul as a Member of Her Majesty's Government, to make such a proposition as he brought forward. And no wonder that with faltering lip and trembling tongue the noble Lord expressed the regret he felt in admitting that the country had had enough of hasty legislation for Ireland. Hon. Members on that (the Opposition) side of the House had felt that, though, perhaps, they had not dared to mention it so tersely as the noble Lord had done; and now it was surely not totally unbecoming that hon. Members representing large commercial constituencies should appeal to Her Majesty's Government to consider whether they were not very seriously affecting the commercial stability of the country by bringing forward a sensational Motion for a Secret Committee, and then, after the lapse of only 48 hours, telling the House that nothing serious, grave, or tremendous was intended by the proposal that the Committee should be a secret one. This proposal had not come upon the House at any slight crisis in our national life. The Government must surely know the very critical nature of our relations with America; and was it not of the very deepest importance that the position which England holds imperially in Ireland should not be exaggerated in the eyes of America? It was no slight matter to enable American politicians, who seemed already to trade upon the supposed weakness of Ireland, to say they were right in treating Irish malcontents with the dignity and consideration recently shown to the released Fenian convicts, by receiving them with the highest honours of the State. Had not Her Majesty's Government themselves to blame somewhat for the exceptional state of things they now came forward *in formâ pauperis* and asked the House of Commons to redress? To what were they to trace this contempt for the law which prevailed in Ireland, and how could they suppose that the Irish people would imagine the English Government had any great respect for the decisions of its highest tribunals when they remembered that the very first act of the present Government, when it came into power, was to release from prison certain persons who were suffering the punishment of the highest crimes they could commit under the law? This sudden alarm in Ireland was surely explained when they remembered that only a very short time ago some of the greatest criminals known to the English law were liberated and sent across the Atlantic in a state almost of dignity. If such things were to be repeated, the Government could not surely expect to be respected long, either in Westmeath or King's County. If Her Majesty's Government, with their full knowledge of the facts, had put it to the House that the safety of Ireland required the immediate adoption of remedial measures, no hon. Members occupying seats on the side of the House on which he sat would have failed to support the action of the Government; but they felt it to be a very grave question that of turning the Committees of the House of Commons into Committees of public safety—mere Committees of detective police—who should not have the power to suggest remedies for the dreadful evils so feelingly described by the noble Lord the Chief Secretary for Ireland, and so deeply deplored by the House, but who should simply collect information and leave the Government to apply some haphazard measure as a remedy. The Chief Secretary for Ireland made use, in the course of his speech, of the now hackneyed phrase "justice to Ireland," and he hoped the programme of the Irish Secretary would prove more powerful towards rendering that justice than some hon. Members supposed it would. He hoped, further, that the House of Commons would never allow that cry to become the instrument, even in the hands of the strongest Minister of the day, in order to induce or force the House of Commons to arrogate to itself the legitimate functions of the Executive Government, and to become a Committee of public safety, instead of acting the part of the trusted advisers of the Crown.

MR. AGAR-ELLIS said, he did not think Her Majesty's Government, in making the proposal before the House, had any desire to shirk any part of its legitimate responsibility; in fact, he did not think such a plan would be possible of execution, even if it were contemplated. He felt certain further, that, before the Government could take any decisive action in reference to the matter, they desired further information upon it; information they would be able to obtain through the agency of the Committee it was proposed to appoint. The learned Serjeant who moved the Previous Question (Mr. Serjeant Sherlock) said he wanted no further legislation, but the course he proposed would defeat his own object; for if the Committee were refused, coercive legislation would proceed immediately, without further inquiry being made. Nobody on that side of the House pretended that the two great remedial measures for Ireland recently passed were final—that they would at once result in peace and prosperity being restored to that country. They were only links in a chain, and further measures were necessary before Ireland would be completely pacified. The Leader of the Opposition had talked of principles of morality; but it was hardly consistent with such principles when he said that his measures of 1852 would have been different if he had had 100 majority at his back.

MR. M'CARTHY DOWNING, as an Irish Member, deeply regretted the measure which the Government had proposed for Ireland. He should vote against that Motion on grounds different from those that had been advanced from the opposite side of the House. He believed that the law, as it stood, was sufficient to meet every case of outrage in any county of Ireland. The Peace Preservation Act of last Session gave power to institute inquiries much more searching than any Committee appointed by that House could institute. If he was rightly informed, a Committee of the House could not inquire upon oath. They must, therefore, depend entirely upon the honour and the conscience of those who might be called before them to give evidence. The Peace Preservasion Act enacted that if a felony, or even a misdemeanour, was committed in any proclaimed district in Ireland, the magistrates had the power to bring before them every person of that district who they believed could give evidence on that felony or misdemeanour; they could examine them upon oath, or commit them if they refused to be sworn. Now, that was a power no Committee could possess. Was the state of Westmeath worse now than it was 12 months ago? The noble Lord admitted that it was much improved. The noble Lord stated that from the year 1869 to February, 1871, seven murders had been committed in that part of Ireland to which he referred, and in five of these cases the parties were amenable, awaiting trial. The noble Lord referred to two murders, the perpetrators of which had not been arrested. But was that a case for coming to the House for extraordinary powers? He (Mr. M'Carthy Downing) remembered that last year seven murders were committed one morning in London. Then, in Sheffield, scenes of horror had occurred that had never disgraced Ireland. Yet no extraordinary powers were asked for on that occasion, a Commission only having been appointed which gave witnesses certificates of indemnity—Broadhead, who paid sums of £40 for the perpetration of murder, having received one. In Mayo, which was the worst county in Ireland a year ago, there was now no crime, and he believed time would work marvels in that respect. He knew personally that the people of Ireland were grateful for the remedial measures that had been recently passed with regard to that country; they felt now that they had something to be loyal for. He deeply regretted that the first official act of the noble Lord the new Chief Secretary should have been to ask for more repressive legislation.

COLONEL WILSON-PATTEN moved the adjournment of the debate.

MR. GLADSTONE: I do not object to the Motion made by my right hon. and gallant Friend for the adjournment of the debate, but I wish to have an understanding that the debate shall close to-morrow evening. There is an important Motion that stands upon the Books for to-morrow evening, but that Motion is one which I do not think the House would deem it convenient to discuss at much length, because the President of the Poor Law Board will very shortly introduce a measure on the subject. I will not press for the withdrawal of that Motion; but, whether the hon. Member withdraws his Motion or not, I hope it will be understood that if this debate in which we are now engaged comes on at a convenient hour to-morrow evening, we shall finish it. It will lead to very great inconvenience to the public if that should not be the case, inasmuch as the next Government night has already been fixed for the consideration of a Bill of the highest importance.

MR. G. BENTINCK said, he was not in a position to answer the appeal of the right hon. Gentleman at the head of the Government as to the course to be taken on Tuesday; but from all he could gather from hon. Gentlemen who were sitting near him, the hon. Gentleman who had charge of the Motion referred to could not make any arrangement at present. If any difficulty should arise from the course which his hon. Friend might choose to take, it would be solely attributable to the conduct of the Government in calling for this Committee to act for them instead of acting for themselves.

Debate *adjourned* till *To-morrow.*

House adjourned at a quarter after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, 28th February, 1871.

MINUTES.]—PUBLIC BILLS—*Royal Assent*—Princess Louise's Annuity [34 *Vict.* c. 1]; Juries Act (1870) Amendment [34 *Vict.* c. 2]; Provisional Order Bills (Committees) [34 *Vict.* c. 3].

MARRIAGE WITH A DECEASED WIFE'S SISTER.—QUESTION.

LORD **HOUGHTON** rose to put a Question to the noble Earl the Secretary of State for the Colonies, respecting the relation between the Colonies and the Imperial Legislature as to the legality of marriage with a deceased wife's sister. Their Lordships would recollect that last year when the matter was brought before them, Ceylon was the only one of our dependencies where such marriages had been made legal, all the rest of our numerous Colonies being governed by the law of this country. Colonial Legislatures had frequently chafed against this restriction; and great inconvenience had frequently arisen, and great complaints made of the difficulties in which this state of things had placed them; and he would ask whether, during the Recess, the noble Earl had received any communications from such bodies on the subject, what answer he had given to them, and whether he would lay the Papers on the Table? Their Lordships would see the important bearing of this on a question which had come before them last Session, and probably might again come before them.

THE EARL OF **KIMBERLEY** said, that the only communication which had been received by Her Majesty's Government during the Recess was from the Colony of South Australia. The Legislature of South Australia had passed a Bill legalizing marriage with a deceased wife's sister. When the Bill came over to this country he confessed he felt some doubt as to the course he should take with respect to it; but he finally felt himself bound to pursue the same course as was taken by his predecessors on three former occasions, when similar Bills were passed by the Legislature of South Australia, and to advise Her Majesty to disallow the Bill. He should have no objection to produce the letter of the Governor of South Australia, and his answer to it.

House adjourned at a quarter past Five o'clock, to Thursday next, half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 28th February, 1871.

MINUTES.]—SELECT COMMITTEE—Business of the House, *nominated.*

PUBLIC BILLS—*Ordered—First Reading*—Landed Property (Ireland) Act (1847) Amendment* [59]; Workshops Regulation Act (1867) Amendment* [58]; Fairs* [60].

First Reading—West African Settlements* [57].

ARMY—CLAIMS OF OFFICERS. QUESTION.

MR. **KENNAWAY** asked the Secretary of State for War, Whether, in the proposed augmentation of the Army, the claims of officers to employment who have obtained Commissions through Sandhurst, and who, after serving Her Majesty in tropical climates have been compelled to go on half-pay in consequence of the disbanding of the West India Regiments, will be considered?

MR. **CARDWELL** replied that the claims of the officers to whom the hon. Gentleman referred had been and would be considered whenever occasion offered, both by the Field Marshal Commanding-in-Chief and himself.

INDIA—FIELD ARTILLERY.—QUESTION.

COLONEL **BARTTELOT** asked the Under Secretary of State for India, Whether any protest has been made to the Government by the Governor General, or by the Commander in Chief in India, against the reduction of the force of Field Artillery in that Country, which will be made by the proposed transfer of five Batteries of Horse Artillery from the Indian to the Imperial Establishment at home; and, if so, whether he will lay upon the Table of the House Copies of the Letters or Telegrams he has received?

MR. **GRANT DUFF**: The only reply that I am in a position to give at present to my hon. and gallant Friend's Question is that, when the correspondence between the Home Government and the Government of India about the proposal of the Government of India with reference to the reduction of the artillery force in that country is completed, there will be no objection to lay it on the Table if my hon. and gallant Friend wishes to move for it.

IRELAND—POSTMASTERSHIP OF CARLOW.—QUESTION.

MR. BRUEN asked the Postmaster General, Whether Hugh Doyle has recently been appointed Postmaster of Carlow; whether he is aware that the said Hugh Doyle was in April 1867 convicted in the Court of Common Pleas of bribery and corrupt practices at the previous Election for the Borough of Carlow, fined in the penalty of £50, and his name removed in consequence from the List of Electors of that Borough; whether he is of opinion that such an appointment is likely to be in any way beneficial to that department of the public service; whether it is not the rule or universal practice that Postmasterships, the salaries attached to which amount to £100 a-year and upwards, are filled by the promotion of deserving and experienced clerks or other officers of the department, without interference of Treasury or Parliamentary influence; and, whether there is any reason for excepting that Post Office from the operation of the rule or practice above mentioned?

THE MARQUESS OF HARTINGTON replied that it was the ordinary, but not the invariable rule that the postmasterships worth above £100 a-year in Ireland were filled up in the manner described by the Question of the hon. Member. When the value of the postmasterships was about the limit of £100 per annum, it was a matter of consideration whether it should be given, according to the ordinary rule, by competitions, in the same manner as the larger postmasterships were obtained, by gentlemen already in the service of the Department, or whether it should be left to be filled up in the ordinary manner by the Treasury. In the present case, when the vacancy was expected, a strong representation was made to his predecessor in Office in favour of a gentleman who appeared to have had a remarkable claim to the appointment in question. After making inquiries he decided that the appointment in question was one which might very fairly, and without doing any injury to the public service or defeating the claim of any servant of the Department, be left to the disposal of the Treasury, and it was so left accordingly, with the intention that the gentleman to whom he had referred should obtain the situation. Afterwards, he was sorry to say, in consequence of the confusion incidental to the change of Office when the vacancy was officially reported, the recommendation of his predecessor in Office in favour of the peculiarly qualified person was overlooked, and Mr. Hugh Doyle was appointed. He believed that the facts stated in the hon. Member's Question were correct, and those circumstances having been brought to the knowledge of the Postmaster General, it was decided that Mr. Hugh Doyle was an unfit person to hold the office, and his appointment was cancelled accordingly.

MR. BRUEN inquired the name of the gentleman to whom the appointment had been promised?

THE MARQUESS OF HARTINGTON said, he did not recollect the gentleman's name, but hoped that the hon. Member would become acquainted with it when he attained the appointment.

PALACE OF WESTMINSTER—DECAY OF THE STONE WORK.—QUESTIONS.

COLONEL WILSON-PATTEN asked the First Commissioner of Works, Whether his attention has been called to the rapid decay which has taken place during the winter of the stone of which the Houses of Parliament are constructed; and whether it is proposed to take any measures with respect to it?

MR. W. M. TORRENS asked the First Commissioner of Works, Whether the external portions of the Palace reported on by Professors Faraday and Murchison in 1860, as having been up to that time preserved from decay by the indurating composition invented by M. Szerelmy, continue to resist the tendency to exfoliation of the surface of the stone observable in other parts of the building?

MR. AYRTON said, in reply, that it could not be doubted that, unfortunately, a certain quantity of defective stone was used in the construction of the Houses of Parliament. Moreover, in large works of this kind, where some of the stones were highly carved, some pieces probably got broken, and here and there the broken pieces were put in in a very defective and improper manner, and as time wore on these defects became apparent, the bits of stone fell off, and created considerable alarm in respect to the stability of the building. That alarm was, however, entirely unfounded, and there was nothing at all which really affected the general character of the stability of the stone work of which the Houses were constructed. Some years ago the subject was carefully considered, and experiments were made with various processes to endeavour to preserve those stones which had exhibited signs of decay; but he was sorry to say that a sufficiently accurate record was not kept of these steps to enable them to judge satisfactorily of the effects produced. Not one, however, of those efforts had proved altogether successful. Of the many attempts, that of M. Szerelmy was, undoubtedly, proved to be the best; but still it was not one which could be relied upon for the permanent preservation of the defective stones. What had been done last year was to make an application of all the processes, under the superintendence of a competent chemist, and in the course of the spring it was intended to treat all the defective stones with that process which the chemist might, on the whole, think would be most efficacious. If it were found that some of the stones were greatly eaten into, it would be necessary that they should be cut out and new stones introduced; and in that manner, by constant attention to their repair, and at a comparatively small expense in each year, there was no doubt the outside of the building could be preserved for many centuries to come.

Colonel WILSON-PATTEN asked, Whether the attention of the right hon. Gentleman had been called to the fact that it was portions of the solid masonry which was giving way?

Mr. AYRTON said, he was quite aware that some of the stones had been considerably eaten into by decay, and the face of these stones would have to be cut out and new faces introduced.

POOR LAW—METROPOLIS—SMALL POX AT STOKE NEWINGTON.

QUESTION.

Sir GEORGE JENKINSON asked the President of the Poor Law Board, Whether he has noticed a statement in "The Times" of the 23rd instant, and signed by Robert Brett, surgeon, Stoke Newington Green, containing a description of several families in the parishes of St. Augustine and St. Chad, Haggerstone, in a terrible state of want and destitution, and suffering from small pox; whether he has taken, or intends to take, any steps to ascertain the truth of that statement; and, whether the authorities of those parishes are fully and adequately performing their duties under the existing Poor Law in respect of those families so suffering, as stated?

Mr. GOSCHEN replied, that his attention had been called to the matter, and that he had taken steps to ascertain the truth of the statement in question by communicating with the gentleman who had written the letter, and with the relieving officer of the parish. No doubt the locality was in a terrible state of suffering, and when the horrors of small pox in any household was considered it could easily be imagined what they must be in the densely crowded dwellings of the poor. With regard to the destitution, Mr. Brett in his letter admitted that no blame attached to the parochial authorities. One of the families which was visited almost daily by the relieving officer, was in receipt of 10*s.* a-week for medical comforts and sustenance, besides what was derived from other charitable sources. The relieving officer offered 20*s.* to a nurse to attend to the children of the family without success. The great difficulty, he might add, was not to find money, but to find nurses. He was bound to state, in justice to the authorities, that Mr. Brett, in his communication, stated that such was the extraordinary feeling they were almost glad to find still existing among the poorer classes with regard to parochial relief, that many of the families concealed from the relieving officers the fact that small pox existed in their houses, though they had to pay private medical men small sums for their visits and medicine. Mr. Brett said—

> "I have heard of the authorities going from house to house to find out cases, and being told there were none a few moments after the doctor had left."

The hon. Baronet would see the extreme difficulty which local authorities had in dealing with these questions; but all that could be done had been done by them in the way of providing not only provisions, but clothing, bedding, fuel, and other necessaries.

ARMY PROMOTION.—QUESTION.

Mr. EASTWICK asked the Secretary of State for War, If he will lay upon the Table a classified Return for the 1st day of January 1871, of the officers of the several branches of the Army—Artillery, Engineers, Cavalry, and Infantry, showing the ranks in which they would be placed if their promotion were regulated on the conditions and by the length of service fixed for the Staff Corps of India, —viz., in the rank of Subaltern under 12 years, in that of Captain after 12 years, of Major after 20 years, of Lieutenant Colonel after 26 years, of Colonel after 31 years, and in receipt of Colonel's allowances after 38 years' service; similar Return of the officers of these several arms, showing the numbers in each of their respective ranks of Colonels in the receipt of Colonel's allowances, of Colonel, Lieutenant Colonel, Major, Captain, and Subaltern; and, similar Return for the 1st day of January, 1864.

Mr. CARDWELL was understood to say that if the Returns were moved for, he would have no objection to lay them on the Table of the House.

EDUCATION—SCHOOL GRANTS UNDER THE NEW CODE.—QUESTION.

Mr. W. H. SMITH asked the Vice President of the Council, If he will state the grounds on which it is proposed under the new Code to abolish the Grant in respect of the attendance of infants under four years of age; whether it is intended to enforce; and, if so, how, the conditions as to cubic space (Clause 17, sub-section C), and as to the provision of assistant and pupil teachers (Clause 32, sub-section C), with regard to infants in schools under the age of four; and, whether as the standards of examination under the new Code are all raised by one grade, so that standard 1 of 1871 is the standard 2 of 1870, and so in succession, and as under Clause 29 no scholar may be presented a second time for examination under the same standard, it is intended to require children who have passed, *e.g.* standard 1 of 1870, to be presented for examination under standard 2 of 1871, which represents standard 3 of former years?

Mr. W. E. FORSTER said, in reply, that the ground on which it was proposed to abolish the grants in respect of the attendance of children under four years of age was that the Department considered the public money ought to be given for instruction, and not for caretaking. They had found in a great many cases very small children were sent to school to be taken care of while their mothers went to work. The conditions in the Act referred to in the second part of the Question of the hon. Member would be enforced in the following manner:—The condition as to the quantity of cubic space to be allowed to each pupil would apply to children of all ages; for instance, a school certified to hold 100 scholars receiving instruction would not receive the added grant if it had, in addition to this number, 40 infants under four years of age, because such infants, though they would not get instruction, would require air. With regard to the assistant and pupil teachers, they would only be calculated in proportion to the number of children over four years of age, who might be in the schools, for the reason that it would only be such children who would receive instruction. The last Question of the hon. Gentleman enabled him to remove a complete misapprehension. It was supposed that, as the Department had abolished the old standard 1, and put in the place of it standard 2 of the old Code, those who were examined under standard 1 of last year would now be obliged to submit to examination under standard 2 of the new Code. This was not so. The pupils would be examined this year under standard 1, which corresponded with standard 2 of the former Code. As standard 1 of last year was practically no longer required, the Department had, under the new arrangement, framed a scheme up to a seventh standard, but the children examined under standards 2, 3, 4, 5, and 6 of last year would be examined under the same standards, nominally, of the new Code, though really the standards would be higher.

INDIA APPEALS.—QUESTION.

General FORESTER asked the First Lord of the Treasury, Whether, as in almost every suit between the Natives of India and the Indian Government the Natives of India are debarred from having their appeal tried by the Judicial Committee of the Privy Council in consequence of the Government of India setting up what is termed the "political plea," and that the Secretary of State for India in Council, being defendants in the suit, sit in judgment and decide their own cause with closed doors in the India Office, it is the intention of the Government to refer the subject of the administration of justice to the Committee that is appointed to consider the affairs of India?

Mr. GLADSTONE said, in answering the Question he must endeavour to define between the reason which the hon. and gallant Gentleman gave in the earlier part of the Question and the conclusion he suggested in the latter. He was informed by the officials at the India Office that the phrase "political plea" was not known to them, nor did it appear that Natives of India were by its means generally debarred from having their appeals tried by the Judicial Committee of the Privy Council in cases where they had claims upon the Government property, but that, on the contrary, a very considerable proportion of the arrears of business which the Judicial Committee had to get through consisted of cases in which Natives of India were claimants against the Government. What happened was that in certain cases it was the duty of the Indian Government to plead that the steps they had taken in the assumption of property were of a public and not of a private character. That was a plea which was made in any country, but he was not aware that it was exempted from the jurisdiction of the Courts; it was an allegation which had to be tried by the Courts of Justice when it came before them. This was the information he had received from the India Office, and, however the case might be, it was not the intention of the Government to propose that the Question should be referred to the Committee on Indian affairs recently appointed, for the reason that that Committee would have its hands quite full with the business already before it. He did not in the least degree intend, when saying this, to imply that the subject-matter of the Question was unimportant or unfit to be considered or discussed either in the Indian Department or in that House. All he meant was that in the view of the Government it would not be expedient to refer it to the Committee appointed to consider the affairs of India.

ARMY—ENGLISH OFFICERS WITH THE PRUSSIAN AND FRENCH ARMIES.

QUESTION.

Captain BEAUMONT asked the Secretary of State for War, How many officers of Royal Artillery and Royal Engineers have been officially accredited to either the Prussian or French Armies, with a view to obtaining professional information?

Mr. CARDWELL said, the Prussian Government felt obliged to decline receiving officers of the Royal Artillery and Royal Engineers whom Her Majesty's Government desired to attach to their Army before Paris; General Walker and Captain Hozier being already accredited to it. General Claremont, Colonel Riley, Royal Artillery, and Colonel Fielding, of the Guards, were accredited to the French Government.

PEDLARS' CERTIFICATES.—QUESTION.

Mr. C. S. READ asked the Secretary of State for the Home Department, If his attention has been called to the wholesale manner in which the Police of some districts have granted certificates to Pedlars under the Act of last Session, and whether he will lay on the Table a Return of the number of Certificates so issued?

Mr. BRUCE said, in reply, that his attention had been called to the wholesale manner in which the certificates had been granted by the police in defiance of what seemed to him to be the plain provisions of the law. The duty of granting these certificates was entrusted to the police, in order that it might be discharged with care and vigilance; but they had, in some instances, interpreted a night's lodging to mean "residence," and had given certificates to tramps of whom they knew nothing, except that they had happened to lodge a night in a town. In many other cases they had given certificates to convicted felons, though the Act laid it down that no person who had been convicted, even of misdemeanour, should be allowed to obtain a certificate. It might, therefore, be well to send round a circular to the heads of the police calling their attention to the facts in order to remedy the abuse. Another matter which would require the attentention of the Government was the abuse of the certificates for purposes of mendicancy. It might be very proper so to alter the law that the practice of mendicancy should be followed by forfeiture of the certificate; and to empower the police to refuse licences in cases where they had reason to believe they were sought for purposes of mendicancy. If the hon. Gentleman would move for the Papers referred to in his Question they would be laid on the Table.

MR. EYKYN asked, If the right hon. Gentleman would give instructions for the withdrawal of such licences as had been granted to convicted felons?

MR. BRUCE: I cannot give any directions that are not within the limit of the law; but I may remind my hon. Friend that the licences are renewable annually, and that they ought not to be renewed in the case of persons proved to have committed felony before obtaining them. A conviction of felony, after the granting of a licence, necessarily involved its withdrawal.

LOCAL TAXATION.—RESOLUTION.

SIR MASSEY LOPES, in rising to move the following Resolution:—

> "That inasmuch as many of the existing and contemplated charges on the Local Rates are for National purposes, and that it is neither just nor politic that such charges should be levied exclusively from one description of property (viz., houses and land), this House is of opinion that it is the duty of the Government to inquire forthwith into the incidence of Imperial as well as Local Taxation, and take such steps as shall insure that every description of property shall equitably contribute to all National burdens,"

said, that though this was not the first time he had ventured to call the attention of the House to the subject of local taxation, yet he freely admitted that on each successive occasion on which he had brought that matter under the attention of the House, he had only become more embarrassed with the gravity of the subject and with the difficulty and responsibility that attached to anyone who attempted to grapple with so large and so complicated a question; and he did not feel on the present occasion more confident, inasmuch as he was unable to add much fresh matter or argument to what he had on previous occasions adduced. He felt, also, that the facts and the arguments which he had already adduced had never been impugned either in or out of the House. It was therefore unnecessary for him to defend them; it would be futile for him to waste the time of the House in repeating them. Though he was painfully sensible of his inability to do justice to that important subject, yet he felt very sanguine with regard to the result, and strong with regard to the merits of the case. He rejoiced to think that that question now stood in a very different position from that which it occupied three or four years ago. At that time they had to contend with a vast deal of indifference and ignorance with reference to that question; but now he thought the popular attention had been aroused; the public had begun to investigate the matter and demand inquiry; and that was all he wanted. No Government could afford any longer to dally with that question, or evade it by false issues. It was futile for them to disarm us with petty excuses or vague generalities. The supporters of thai movement contended for a great principle, and they asked the Government to deal with that principle in a comprehensive and statesmanlike manner. He thought he might most forcibly illustrate the magnitude and importance of that subject by comparing the different amounts of wealth levied and expended in one year by the Imperial and the local taxation. He might be allowed to preface that comparison, by reminding the House that the total estimated annual income of England and Wales at the present time amounted, in round numbers, to £700,000,000; that £300,000,000 of that amount was assessed to the income tax; that £100,000,000 was the amount of the rateable value of the real property in this country; and that that £100,000,000 bore the whole of our local taxation. In other words, £6 out of every £7 of the annual aggregate income of the country escaped local burdens, and contributed nothing towards the relief of the poor, and the various other national burdens. The right hon. Gentleman the President of the Poor Law Board told the House last Session that the amount raised by local taxation in the United Kingdom was £30,000,000, and so far as he (Sir Massey Lopes) had been able to make an investigation—for the right hon. Gentleman had not given them any figures—he did not believe that that amount was at all exaggerated. But in the observations he was about to make, he would deal only with the local taxation, which was levied in England and Wales; and for this reason—because he was far more conversant with those details. He hoped that other Members who were far more conversant with the local burdens of Scotland and Ireland would endeavour to ventilate their own grievances. Our own local taxation, according to the Return for 1868, amounted to £16,800,000, or, in round numbers, to £17,000,000. But he submitted that those figures did not comprise the whole amount now levied by local taxation. In the first place, he might remind the right hon. Gentleman that the poor rates had very much increased since 1868. In the second place, he did not see in those Returns any figures which represented the amount raised for sanitary and sewerage regulations. He did not see any amount for turnpikes; nor did he see—of course, in the Return for 1868 it could not be—any amount for education. He would remind the right hon. Gentleman that for education alone a threepenny rate on £100,000,000 would amount to £1,250,000; and a sixpenny rate for education—he believed we should not do our education for much less—would amount to £2,500,000. He thought he might say, without exaggeration, that the amount raised by local taxation in England and Wales was, in round figures, £20,000,000. He could vouch for the correctness of that statement. Well, if so, one-seventh of the annual income of England and Wales discharged all the obligations of local taxation—one-third only of that which paid income tax; but 82 per cent of the annual aggregate income value of the country was exempt altogether from local taxation. In other words, one-fifth of the total annual income of real property was paid every year in local burdens — or every five years they paid in local burdens the whole amount of the aggregate income of real property; and exactly one-eighth of its value in poor rate assessment alone. If his statements were correct—and he challenged the right hon. Gentleman to prove they were not—then the exceptional exactions to which the owners of real property were subjected were monstrous, intolerable, and almost incredible. He would now endeavour briefly to compare the amount raised by local taxation with the amount annually raised by Imperial taxation. The estimate of Imperial taxation for 1870-1 was £67,000,000. If you deducted from that £27,000,000, for the interest of the National Debt, you had £40,000,000 for defraying the expenses of the Army and Navy, for the Civil Service, and for all the purposes of modern government. You had that £40,000,000 of Imperial taxation as against £30,000,000 of local taxation. But the comparison did not end there. Imperial taxation was simple, it was intelligible, it was annually decreasing, and was being annually revised. Local taxation, on the contrary, was a chaos—to use the expression of the right hon. Gentleman (Mr. Goschen) a "confusion worse confounded" — a state of things which, as Lord Dundreary said, "no fellow could understand." It was annually increasing, and the basis on which it was levied had not been altered for 300 years. That was not all. The public at large had no reason whatever to complain of Imperial taxation. It was said, and he believed it, that it was equitably imposed, systematically collected, and economically expended. The right hon. Gentleman the Chancellor of the Exchequer, who held the purse-strings, was generally supposed to be a close-fisted Gentleman, and he was responsible to the House and to the nation for Imperial taxation. But local taxation was unjustly levied—it was the most oppressive part of our public burdens—it was unsystematically collected — and, moreover, the number of rating authorities might almost be called Legion, and there was little or no responsibility among them. Further, one did not know for what purposes local taxation was raised, nor in what proportionate amounts it was expended. The poor, the labouring classes, had no reason to complain of our Imperial taxation; but the dissatisfaction and discontent with regard to local taxation were keenly felt. More than that, in proportion to their means, the poorer classes had to bear a vastly larger share of our local burdens than the more opulent classes. Then, the Imperial taxation, towards which every class of the community and every description of property contributed, was annually decreasing; local taxation—towards which only one class of the community and one description of property contributed—was annually increasing. Moreover, certain privileges that had formerly been conferred on the owners of real property, in consideration of the exceptional burdens they were called on to bear, had been removed, and there had been imposed on them a multitude of new and exceptional burdens, for which they had received no corresponding or compensating advantages. Since 1840 Parliament had annually passed an Exemption Act, and what was its object? To exempt personal property from the payment of what was legally due from it; but they had actually placed the burden thus withdrawn from personal property as an additional load on real property. Since 1846, when the repeal of the Corn Laws was carried, £51,000,000 of Imperial taxation had been remitted, while £31,000,000 had been imposed, leaving a balance of £20,000,000 on the side of remission. Well, what relief had been given to local taxation? Not a single iota. On the contrary, while all other interests had had remission, real property had been actually burdened in reverse proportion to their remissions. He was doubtful whether Sir Robert Peel had not remitted a small portion of their prosecution expenses since that time; but he challenged the right hon. Gentleman opposite to name anything else. Well, then, he complained not only that they had no remissions, but that new charges for new objects—for the benefit of the common weal and not for exclusive benefit of the class from whom you levy them, had been imposed on the owners of real property; that Parliament was victimizing one class for the benefit of the community, and imposing national obligations and responsibilities exclusively on one description of property. That was most unjust. Now, why this palpable injustice, this glowing and glaring anomaly? It had not been a sudden operation, for then it would have met with serious and successful resistance. The operation had been slow, gradual, and insidious; it had begun with permissive legislation, and then, when the owners of real property had inserted the thin end of the wedge, the Government drove it home, and made the legislation compulsory. All Governments, without exception, when they succeeded to office, had courted popularity by trying to reduce taxation, by a cry for retrenchment. That programme had not always been very honest; but it had been very specious and very plausible. It tickled the masses, and was a capital electioneering cry. But the *eclat* consequent on any reduction of local taxation would be comparatively small, and yet the benefit to the working classes would have been equally great. To effect their object, and gain popularity, all Governments had reduced Imperial taxation by gradually transferring strictly national objects to local purposes, and thus it was that real property (lands and houses) had come to bear the burden of carrying out most of the social and moral reforms and improvements of the 19th century. If we had reduced local taxation in the same degree as Imperial, it was the poorer classes alone, or for the most part, that would have felt the benefit. Now, what was the difference between a rate and a tax to those who paid it? It was a distinction without a difference. The word "rate" was a synonym for the word "tax." Both were arbitrary —both were compulsory. Why, then, salve and gloss them over by calling them rates? Because it tended to divert public attention. Rates were encroaching things; they were adhesive; they stuck; they had a tendency to crystallize and become separate property; they became rent-charges in perpetuity; and if those concerned did not adopt the motto *principiis obsta,* they might depend upon it these charges would gradually increase. He had compared the amount levied for Imperial taxation with the amount raised for local burdens; he would make but one other comparison. He would take Spain or Portugal, Sweden, Denmark, Holland, or Belgium, and he could assure the House that the whole amount raised in any of those second-rate kingdoms for Imperial purposes did not reach £14,000,000, or about half what this country expended in local taxation. He would now analyze and classify this large sum of £20,000,000, and, for the sake of perspicuity, divide it into parts—namely, £11,800,000, or, in round numbers, £12,000,000, raised for Imperial purposes, and £8,000,000 for local purposes. The distinction was essential, because, in the first place, the £12,000,000 were raised for the benefit of the whole community, but the £8,000,000 was raised for the benefit only of those who paid them, and who resided in the locality where they were raised. In the next place, the object of the £12,000,000 was universal; the levy direct and compulsory; and, in the third place, it was made absolute and arbitrary by Parliament. But the purpose of the £8,000,000 was local; the object limited; the levy voluntary; it was indirect, and, what was of more importance, it was controlled by local decision. He did not conceive that the owners of real property had any claim on the Imperial Exchequer for the £8,000,000, and therefore he should not further allude to it; his observations would only refer to the £12,000,000, the amount levied for national purposes; and with respect to this portion of the charge he would show to what extent it had increased. To show the increased and increasing amount of that portion of our local burdens, connected and unconnected with the Poor Law expenditure, he would compare the first year for which we had any reliable statistics, 1776, with the last year. The total amount in 1776 was £1,720,000; in 1870 it was £11,744,000. The item for poor charges being £1,556,000 in 1776, and £7,673,000 in 1870; for other purposes, £164,000 in 1776, and £4,100,000 in 1870. If they took a later date the result was this—In 1839 the total amount was £6,161,000, or an increase of 109 per cent; the amount of poor was £2,550,000, or an increase of 86 per cent; of other charges an increase of £2,616,000, or 174 per cent. Let them take the 10 years since 1859. The increase in the whole amount was £3,666,000, or 45 per cent; on the poor alone the increase was £2,115,000, or 38 per cent; and for other purposes of £1,500,000, or 57 per cent. Within the three last years the increase for the poor alone was £1,233,000. He might remind the House that in 1867-8—when the chief addition took place—there was an increase of more than £1,000,000 for the poor alone. It might indeed be said, perhaps, that in 1869 there occurred a decrease; but it should also be remembered that in that year wheat fell 10*s.* a quarter. There were 8,500 more paupers on the 1st July this year than there were on the 1st July last year, and they were increasing so rapidly that one in every 20 of our population was a pauper. In the year 1834, when the Poor Law was established, only one-tenth of the amount levied under it was expended for purposes not connected with the poor; last year one-third was so expended. He wished, then, to impress on the House that to call the £12,000,000 to which he was referring money levied for the relief of the poor was a misnomer; it was a misappropriation; it was collecting money under false pretences. Although incorporated in the Poor Law assessment, one-third of that £12,000,000 was expended in purposes which were wholly unconnected with the poor. He had deemed it to be his duty to analyze the expenditure of the £12,000,000, and he would endeavour to particularize it under three heads. There was, in the first place, £7,500,000 of the amount levied under the poor rate assessment expended solely for the use of the poor; secondly, there was £1,000,000 levied under the poor rate assessment, but expended for purposes unconnected with the support of the poor; while there was, lastly, £3,300,000 annually collected by means of the county rate, and which was likewise expended for purposes unconnected with the poor. Now, he would take four or five charges under each of those heads. Taking first the sum of £7,500,000, which was really expended in the relief of the poor, he found that the item for in and out-door maintenance was £5,224,000—and he would beg the House to bear in mind that of that amount only £1,546,000 was spent in in-door, the whole of the remainder being expended on out-door maintenance. Now, he should like to know why in England so large a sum was expended on out-door maintenance; while in Ireland, which was a much poorer country, scarcely anything was laid out under that head? The next charge was a sum of £711,000 for the maintenance of lunatics; after that came a charge of £805,000 for the salaries, rations, and superannuation allowances of Poor Law officers; and then there was a further sum of £718,000, which came under the head of common charges. Now, he did not intend to dwell on the first and largest charge—that for in and outdoor maintenance. What he wished to impress on the House was the enormous increase of new impositions. He agreed *in toto* with the statement which had been made by that eminent Whig statesman Sir George Lewis—whose loss that House would never cease to regret—to the effect that all income ought to contribute to the maintenance of the poor. Nor must the Report of the Committee of the House of Lords, in 1850, be forgotten, in which it was set forth that—

> "The relief of the poor was a national object, that every description of property ought to contribute towards their relief, and that the Act of Elizabeth contemplated such a contribution according to the ability of every inhabitant of the country."

He would only ask in addition to that, whether, after all, a poor rate was not a police rate; whether, if there were not a poor rate, there would be any protection for either person or property? A poor rate, in his opinion, was as essential to internal defence against the dangerous classes as our Army and Navy were for the purpose of external defence; and for both descriptions of defence it was, he contended, equally the duty of the Government to provide. He would, in the next place, advert to the charge of £711,000 for the maintenance of lunatics—a charge against which he strongly protested. Beside the sum which he had just mentioned, £310,000 had last year been raised by means of the county rate for the purpose of building lunatic asylums; while there was a further charge of £49,000 for the cost of casual lunatic paupers; so that the actual amount paid under the head of which he was speaking was £1,070,000. Now, lunacy was a malady which was, unfortunately, increasing, while the cost of treatment was also rapidly becoming greater. In 1851 the number of lunatics was only 21,000, or 23 in every 1,000 paupers, while in 1869 it was 45,000, or 44 in every 1,000 paupers, the increase in the ratio borne by the number of lunatics to the number of paupers being 91 per cent. The cost, he might add, of our lunatics, which in 1862 was £482,000, had advanced in 1869 to £711,000, so that in a period of seven years it had increased by a sum of £229,000, or 47 per cent. The cost of a sane pauper was, it appeared, £9 15*s.* per annum; that of an insane pauper, £26, exclusive of the charge for buildings. Now, he maintained that lunacy was a national calamity, and that it ought to be made a national charge and responsibility. It was a dispensation of Providence which was not confined to any class, and which was not attributable to any special cause. It was no special creation of land or houses. It was most unjust, therefore, in his opinion, that the charge for the support of lunatics should be levied only on one description of property. He had the highest authority for saying the charge ought to be a national charge. In the discussions on the Irish Church Bill two years ago, the right hon. Gentleman at the head of the Government laid it down as an axiom that the Church property was national property, and that as national property it ought to be applied to national uses, adding that the surplus ought to be devoted to the relief of irretrievable suffering and calamity, lunatic asylums and hospitals being particularized. He would read the right hon. Gentleman's own words on 15th of July, 1869—

> "What are the obligations in respect of the relief of distress to which land or real property are commonly, by the laws of civilized Christian countries, held to be subject? They are these—You are bound to deal with the destitute and to meet the wants of the destitute, as far as necessity can be said to exist, but not beyond. . . . . . There is no law, either in Ireland or in any other country, which declares that persons of unsound mind generally shall have a right to receive that treatment which their peculiar state of mind requires. The Poor Law imposes no such obligation. The Poor Law obliges you to relieve the destitution of a lunatic, but no more. ['Yes, yes!'] Well, the laws in force in this country compel you to relieve lunatics only as you relieve other persons, and to prevent them from doing mischief; but it does not require you to apply to their case the difficult and costly processes to which recourse is had in those most benevolent institutions, the lunatic asylums. . . . . And for this plain reason—that a legal provision must be raised from classes of society which go down to the verge of destitution themselves, and you would inflict injustice if you trusted to the law solely for the relief of this kind of calamity."—[3 *Hansard*, cxcvii. 1907.]

He desired no better testimony than that which he had just quoted. He with confidence claimed the vote of the Prime Minister, so far at least as lunatic asylums were concerned, and he was sure no one in that House or out of it would, when appealed to, decline or ignore the duty of paying his quota towards the relief of a malady which had no respect for persons. He now came to the next item of charge, that for the salaries, rations, and superannuation allowances of Poor Law officers. There were at least 14,000 Poor Law officers, and their cost was rapidly increasing. The Poor Law Board authorized the superannuations of some of those, without offering to contribute to the cost. They, however, now admitted the principle of contribution. They now paid the whole of the auditors, the salaries of the schoolmasters, and half the salaries of the medical men. Why should they not pay half the salary of the master and matron, of the chaplain and the relieving officer? One good reason why they should do so was that they exercised the most arbitrary power over these officials, appointing and dismissing them, and regulating their salaries and their superannuations; and it was quite out of the power of any Board of Guardians to give a sixpence to any of their officials without the leave and licence of the Poor Law Board. If the salaries of these officials were paid by the State, it would not only be a relief to the ratepayers, but their remuneration would be more uniform, and this would be a great advantage. No officials were so badly paid as Poor Law medical officers, whose salaries were scarcely sufficient to provide the drugs they were obliged to dispense; and the right hon. Gentleman might fairly be asked to go further than he now did. The fourth item to which he would advert was that of establishment charges, consisting of building, repairs, printing, drugs, and clothing. All these expenses were incurred on the requisition of the Poor Law Inspectors. He was told sometimes that it was necessary to have local control in order to keep down expenditure; but it would also be desirable to have a little more control over the expenditure imposed upon the Poor Law Unions by the Government. Perhaps, to gain a reputation for zeal and energy at Whitehall, the Inspectors were inclined sometimes to recommend improvements and alterations which the local authorities thought unnecessary. However, if the Government paid one-half of these establishment charges, he felt sure the money would not be expended by the locality improperly or unnecessarily. Before last year, since which time there had been a considerable addition to the hospitals and fever infirmaries of the country, £9,000,000 had actually been expended for Union houses alone—all paid for by the ratepayers. He based his claim for additional assistance towards Poor Law expenditure upon these grounds. Of late years we had become more humane and charitable in administering the old law of Elizabeth. We sympathized more with the privations and necessities of our fellow-men, and, rejoicing at this change, he was willing and anxious to pay his fair quota towards it. But what right had the owners and the representatives of personal property in this House to take any credit for this improvement? What sacrifices had they made to obtain it? They had been philanthropic and generous at the expense of the owners of real property. Justice ought to precede generosity. They had not contributed one fraction towards the improvements effected in the administration of the Poor Law. Hon. Gentlemen sheltered themselves under the antiquated Act of Elizabeth, which, as they said, imposed upon real property alone the burden of maintaining the whole of the poor of the country. But when that Act was framed there was little property in this country except realty, which then bore not only all the local, but all the Imperial taxes; so that if the argument were now good for one, it was good for the other class of taxation. Since the time of Elizabeth, capital had been accumulated by the labour of the poor, pauperism had thus been created or fostered, and now those chiefly responsible tried to evade their due responsibility. In those days agriculture employed nearly the whole of the labouring population; now it employed a comparatively small proportion—only 1-14th per cent. Why, then, impose these heavy burdens upon land when the whole conditions of employment were changed? The Imperial Government had given one year's pay to the widows and orphans of the poor men who went down in the *Captain*. At the year's end these widows and orphans must go to the Union; the owners of real property would alone have to maintain them. The brave sailors sacrificed their lives for the whole country, and not for one class; but the representatives of personal property ignored their responsibility. The same was true of the widows and orphans of soldiers and sailors killed in action, as well as discharged soldiers and sailors who, when no longer of use, were turned over to the Union, the owners of real property alone having to maintain them. In the case of commissioned or non-commissioned officers killed in action, provision was made for their widows and orphans, and to make a distinction between them and the men under them was impolitic and unjust. The Secretary of State for War would have very little difficulty in getting the recruits he wanted, if the men were sure that if anything happened to them the State would take charge of those they left behind them. He now came to the sums levied from the rates for purposes unconnected with the poor. These were the registration of births and marriages, a charge imposed upon real property in 1838, amounting last year to £77,000; the charge for vaccinations, imposed in 1841, and amounting last year to £64,000; and Parliamentary registration, a charge imposed in 1845, and amounting to £71,000. These three objects were certainly national. Everyone was equally interested in taking measures to abate that terrible scourge of small-pox, which was creating a regular panic, and destroying thousands. Neither rank nor wealth conferred any immunity from this malady—it was no respecter of persons. And, lastly, there was the item of £660,000 for Highway Boards created in 1865. That was the amount raised by the Highway Boards, and there was, besides, £920,000 raised by poor rate assessment for the maintenance of parish roads, and £1,000,000 for turnpike tolls. Turnpikes were being gradually absorbed, and upwards of £2,500,000 was raised last year for the maintenance of roads which used to be called the Queen's highways, and should, therefore, be paid for by all the Queen's subjects. He should like to know why capitalists rode over them without paying, whilst the poor man who walked over them was made to contribute to their maintenance? Any and every man could indict a road out of repair, why was not any and every man equally liable for maintenance? Turnpike roads were constructed for national and Imperial purposes. The mails went over them, and they were the means of communication for troops; but now they had, to a great extent, been superseded by railways. But the responsibility of maintaining them had not only been cast upon the land, but the tolls had been taken away. A tax was levied on railways in proportion to the number of first-class and second-class passengers, and he wanted to know why the amount thus levied on railways ought not to be handed over to mitigate the enormous increase of impost inflicted upon the land for the maintenance of highways? He would now advert to the third and last head—the charge of £3,300,000 levied under the county rate assessment, but for purposes totally unconnected with the relief of the poor. These county rate charges were all imposed for national objects. Their name was legion—their objects were universal. They all came under one category—their general and especial object was the protection of life and property, without any distinction of persons or property. The monied millionaire, the wealthy capitalist, required even more protection than the poor peasant, the mechanic, or the shopkeeper, and yet they contributed comparatively nothing out of their superfluity towards these objects. He held in his hand a Return moved for by Lord Henniker in 1867, showing the total amount levied in that year by county rates, giving the proportion that was under the control of the magistrates, and that which was strictly statutory. The total amount levied was £1,744,000. The portion which was statutory, over which the magistrates had no control, was £1,461,000. The portion over which they had undoubted control was only £283,000; so that 82 per cent was statutory, and only 18 per cent was under the discretion of the magistrates. Many Petitions had been presented to that House from magistrates in quarter sessions, asking the House to take this matter into consideration, and to transfer the cost of many of these Imperial objects to the national Exchequer. Now, with respect to the charges on county rates—the charge for the rural police in counties in 1869 was £719,000; for lock-up houses, £35,000; for the conveyance of prisoners, £19,000; making a total of £773,000. The Government allowance was only £147,000; so that instead of one-fourth, which the Government proposed to give, it only contributed one-fifth. They gave nothing towards police stations, and many miscellaneous payments which it was necessary to make, and yet the Home Secretary obliged the magistrates to send up plans of the stations to be submitted to his Inspectors. He was kind enough to authorize the construction of police stations; but he contributed not one iota towards them. The police expenditure had doubled the county expenditure in every county in England and Wales since its establishment. In Devonshire the charge for the police alone exceeded all other county charges by £5,000. The police expenditure was compulsory, the control of the magistrates over it being merely nominal. It was true that they appointed the chief constables; but they had no power to dismiss those officers, who were amenable to the Home Secretary, the magistrates having simply a limited and very small discretion with respect to the salary. The Home Secretary said there was a maximum and a minimum to go by, and gave the magistrates a discretion between the the two. It was ground for complaint, too, that the police, besides being employed in their proper duties, were used by the Government for other and national purposes. Only recently the Home Secretary had ordered the chief constables to employ the police to give notices in connection with the Reserve force, and the War Office used the police as recruiting sergeants, to tell the public what were the conditions of enlistment. Moreover, by the Bill of last year, the Home Secretary imposed on the police the responsibility of giving licences and certificates to pedlars. These were novelties; but he submitted that they might be very bad precedents. At all events, they were additional reasons why the Government should contribute a larger quota towards the police expenditure. He would now remind the House of an order which was sent to the clerks of the peace a short time ago, stating that if they did not follow the recommendations laid down with regard to expenditure, if they did not increase the police, the Government would stop the contribution of one-fourth which was now given. They were, therefore, obliged to comply with whatever demand the Inspectors of the Home Secretary might make. This was considered a great hardship. He maintained that the police would be a more effective force if under one organization and one central authority, and he wished the Government to adopt the same course which they did in Ireland—take upon them the whole responsibility of the police and pay them. He thought that was a fair demand to make, and there was this additional reason for it—there were so many different jurisdictions that many offenders escaped by passing over the margin of a county or borough. Now, with regard to the second matter to which he wished to call the attention of the House—prisons and the administration of justice. Surely the maintenance of order and justice are commonweal purposes. Why should the counties pay for the maintenance of prisoners before conviction? Why should real property alone pay for the erection and maintenance of prisons, reformatories, &c.? There was expended by the counties last year the sum of £664,000 for these purposes, and the allowance received by the Government was £204,000, leaving a balance against the counties of £460,000. In Devonshire the average paid under this head for the last three years, exclusive of any Government allowance, was £3,600, and he asked why should the owners and occupiers of real property be so taxed for the maintenance of prisons and the administration of justice? Surely, the maintenance of order and justice concerned other classes of the community quite as much as those connected with land. There were more offences against personal property than real, and that was a reason why personal property should pay its proportion of the expense. With respect to prisons, under the Prisons Act of 1867, all the rules were made by the Secretary of State. The visiting justices had no control over them. Their duty was laid down, and the only control they had was with regard to salaries and convicts. When Inspectors were sent down they were often very capricious in their requirements; and, if any remonstrance or complaint was made, the answer was—"We will withdraw what we are giving for the maintenance of prisoners after conviction." For the maintenance of prisoners before conviction the county paid the whole of the charge. He would now say a word or two with regard to the Militia, towards which the public attention was now so much directed. The Militia was considered a local and constitutional force. It was a national force. He did not admit the word "local," for during the Crimean War the Militia were allowed to volunteer for foreign service, and many of them were taken out of the country. Therefore, the local character was gone. And what were they doing now? The only link with regard to locality which still existed they were now taking away, by depriving the Lords Lieutenant of the power of granting commissions. He would ask why were the owners of real property to provide barracks for the Militia? They might as well be asked to provide for the fortifications in course of construction at Plymouth and Portsmouth. The county might determine to erect barracks—might determine to borrow a large sum at 4 per cent—but they were not allowed to receive one atom more than they had hitherto received of the public money for the Militia. Another item to which he wished to call the attention of the House was that of £64,000 for coroners. Now, he asked whether coroners ought not to be considered a part of the administration of justice? Of what use were coroners? That in case of untimely or sudden death they should inquire into the matter. That was necessary for the protection of life and property—of life more especially. It was a national charge, and ought to be transferred to the national Exchequer, along with all other charges for the administration of justice. Besides these expenses, the charges for building gaols, lunatic asylums, &c., amounted to £2,500,000, and were becoming heavier and heavier every year. Not only had the old anomalies in taxation been continued, but new ones had been introduced and fresh impositions were continuously being added. We are told that the expenses of Parliamentary Elections and the erection of militia barracks are to be added to the rates. Sanitary and sewage regulations were looming in the distance, as well as the maintenance of all turnpike roads. We complain that there is the same basis of assessable property now as when real property was the only property of the country. It was fair and just three centuries ago, when there was no capital or accumulated wealth, but not adapted to present times and circumstances. The present system of levying local burdens was full of anomalies, incongruities, and inconsistencies. There was no settled, no complete, and no consistent plan. It was the effect and result of conditions which had all been altered. There was no uniformity; deductions varied in every Union according to the caprice of assessment committees. Though the conditions of national wealth had entirely changed, the conditions under which local rates were levied remained unchanged. The incidence of Imperial burdens was periodically revised; he asked that the same might be done by local burdens. He contended that this was a poor man's question, and asked why the owners of exempted wealth were not and should not be made as liable to those local burdens as the owners of real property? The effect and object of these changes was to obtain good government, and that was a commonweal purpose. He wished to know, for instance, why the fundholder did not pay his share? Did not the security of the fundholder depend on the stability of the Government and the various institutions which surrounded it? Was not the mortgagee as morally bound to pay his share of these local burdens as the reputed owner of real property? The mortgagor had to pay his share of the local burdens, and he also paid upon the whole of his net income, without deduction; whilst the mortgagee received his net income from the reputed owner of the property, paid no regular burdens, and received his income without any deduction whatever. Shareholders of railway companies paid local burdens as real property holders; they also paid legacy duty as holders of personal property, and received their dividends, less the income tax; but debenture holders paid no local burdens, and received their income without deduction. This was a great anomaly. Then let them look at the case of the shipping interest, which entailed a vast expenditure, both with regard to our civil and military establishments, because it required protection both at home and abroad. It formerly paid towards our local burdens, and ought to do so. It tended very much to increase pauperism, especially in our large towns. But recently, like many others, it had become a privileged and exempted interest. Contrast, on the other hand, the case of other classes of the community—for instance, the clergy. The clergyman was almost as severely dealt with as any man. He was only a *locum tenens*. He had no property in his tithes. Some years ago a bargain was made with him, and it was compounded for, and he was paid a regular sum. Whatever the improvement of property might be, his property could not increase in value; but his local burdens were increasing rapidly. Everyone knew what he was to be rated at, and he was rated to the very utmost; and what was harder still was, that although his property could never increase, his population and duty increased; and although he might be obliged to employ a curate at £100 a-year, he was obliged to pay upon the whole of his income; and if he found it necessary to apply to Queen Anne's Bounty for assistance to enable him to re-build his house, that amount was not allowed to be deducted. He would take another class, and had good authority for what he was going to say about the mercantile and manufacturing class. The case of mercantile communities was ably dealt with by the hon. Member for Liverpool (Mr. Rathbone) in 1869. He made a most able and honest speech, but he would quote his words. He said—

> "The principal wealth of our large towns is the commercial, manufacturing, and trading capital, and yet it is exactly this capital which does not contribute, except incidentally, to local taxation. I maintain that the classes who possess this property do not contribute their fair share towards the rates levied to support in sickness, accident, or poverty those without whose labour their wealth would never have been created. They do not contribute upon their capital, because their capital, consisting chiefly of personalty, is, as a rule, exempted from liability. After much inquiry into this subject, I find that, broadly speaking, the percentage of his income that a man pays to the poor rates is often in the inverse ratio to the amount of his income. The wealthier he is the smaller the percentage he pays. Take the case of a man doing a large business with only a moderately large office and warehouse. He only pays on the rent of his office or warehouse, whatever his profits may be. I know the case of merchants who have made the calculation, and find that their rates vary from $\frac{1}{2}$ to 2 per cent on their incomes, while the average percentage of the rates of the porters in their employ amounts to $3\frac{3}{4}$ per cent on their incomes. In other words the labourers pay from twice to seven times as much in proportion to their incomes, as do their employers."—[See 3 *Hansard*, cxcvii. 431.]

He agreed with the hon. Gentleman (Mr. Rathbone) who advocated contributions in aid from the Exchequer, and would ask why was £100 or £1,000 a-year derived from personal property less valuable to the man who owned it than £1,000 a-year derived from lands and houses? The man whose income was derived from personal property had frequently no deductions to submit to, while the deductions made upon the income derived from real property were often very considerable. Talk of free trade! the present system was a system of protection to personal property. What reason, then, and what excuse was there that all these fresh impositions of late years should have been placed upon real property? He knew the answer he should get was that we must have local control and local administration in order to keep down expenditure; but if that were the object and the only object in view he could only say that it had signally failed. He himself was an advocate for local administration and local control; but he liked the reality and not the shadow, and he maintained that the term self-government, as applied to the control of the magistrates and the Poor Law Guardians with reference to the amounts they had to dispose of, was a delusion and a mockery. He contended that magistrates were merely the instruments of the Legislature and the Home Office. They were called upon to levy and raise large sums of money over which they had little or no control, while the Poor Law Guardians had just as little, for the President of the Poor Law Board had absolute control over them. Those Guardians sacrificed much time and money, and obtained very small results so far as keeping down the expenditure was concerned. Local rates might be locally administered; but they were administered under Imperial supervision, for the Home Office and the Poor Law Board were centralizing everything. Their Inspectors were hard taskmasters, and compelled them to make brick without supplying them with straw. The passing of the Law of Settlement and the Union Chargeability Act had destroyed the interest which had formerly proved such an incentive to good local administration and local control. Before the passing of those measures he had had the honour of presiding over a country Union. There were many unemployed who applied to them for relief, and the Guardians never broke up without providing them with work. No doubt it was their interest to do so; but that sort of thing did not occur now, because the Acts he had mentioned had destroyed local interests. What was everybody's interest was nobody's interest. He did not find fault with those Acts, for they might be very good ones in some respects; but he simply stated what had been the effect of them on this point. He had often heard another reason advanced why these exceptional rates had been imposed, and it was that, though the rates had alarmingly increased, the rateable property had increased in the same proportion. But how had that been the case? Had it not been from the investment of the personal property of the landowners and occupiers? Rent was divisible into two parts—there were the natural rent and the artificial rent. The natural rent was the natural produce of the soil, without the money invested in it for improvements; and the artificial rent was the rent obtained from the soil by the investment of capital. But what right was there to tax the personal property or capital, invested in the soil for improvements, at a higher rate than any other personal property was taxed? It was argued that if property was increased the rates ought to be increased also; but he would not admit that land had increased in value ["Oh, oh!"], or, at least, though land in the immediate neighbourhood of large towns had increased in value, the general value of land throughout England had only increased to a very small extent. What had increased in value was house property, and that was what had brought up the rates. In 1867 the proportion of rates upon land was £55,000,000, and of rates upon houses £75,000,000, and during the last 14 years the increase of rates upon land had been £16,000,000, or 15 per cent, and upon houses £28,000,000, or 58 per cent. In the same time there had been an increase of 77 per cent upon professional incomes and personal property. What had been the result of these exceptional taxes upon capital employed, either in agriculture or in the erection of houses? They had simply been a great bar and a heavy discouragement to the investment of capital in either of those interests. Such exceptional rates and taxes tended to paralyze those industries and to alienate capital from either of them. They were taxes upon energy and enterprize, because the investment of capital in either houses or land increased one's rating liability. It was the smallness of the amount of capital invested in land which prevented the resources of the land from being properly developed. Legislation had made it penal to invest capital in land, because capital avoided heavy exactions and exceptional imposts, and being a most sensitive and delicate thing to deal with, it was easily driven abroad. Capital invested in houses or land was put under certain disabilities and disadvantages, such as an exceptional income tax of 12 per cent, and it was thus sentenced to transportation, so that it might do in other countries what it ought to be encouraged to do in this in the way of developing national resources. If a man could get 5 per cent interest on good investments abroad, it was not to be expected that he would invest his money at 2½ per cent at home. But this was, above all, a poor man's question. What was it which improved or deteriorated the condition of the poor man? The amount of capital which was either withdrawn, or which was used in the building of houses or in improving the cultivation of land. Increase of capital so employed meant to the poor man more home-grown food and at a cheaper rate; a greater demand for labour and better wages; less pauperism, and less rates. But if capital were diminished and withdrawn it had a precisely opposite effect, for it led to less home-grown food, a less demand for labour, less wages, more pauperism, and consequently higher rates. Then as to the discouragement to invest money in building, it was impossible to exaggerate the sad and serious consequences which flowed from large families being herded together, as they were at this moment in this great metropolis and in all the large towns of the country. It was a disgrace to us as a nation to see the alleys, courts, and cellars in some parts of London, in which large families were huddled together promiscuously. Was it a matter for wonder, under the circumstances, that immorality, drunkenness, and every species of vice should flourish? Such circumstances could only tend to demoralize the mind and to debilitate the body. In the men the effect was loss of physical power, disease, and untimely death, and in the women it was almost worse—loss of moral and social character; while the effect on the children, as had been truly said, was that they were bred without decency and brought up without shame. Those were the results of the miserable accommodation for the working classes in the large towns of this country; and 50 per cent of the rural population was still crowding into these towns. And now one word as to the conduct of the Government in reference to this subject. He had no desire to reproach them, for he knew they had much to do; but they had given a promise of which he felt bound to remind them. In 1869 he moved for a Royal Commission upon Taxation—for he always felt, and still maintained, that that was the best and most impartial tribunal for the investigation of this question. He had nothing to say against Parliamentary Committees; but it was impossible to keep party out of them. He regretted very much that Commission was not granted; but the right hon. Gentleman (Mr. Goschen) objected to it on the ground that the Government admitted the grievance and were prepared to deal with it without loss of time; but if they appointed a Commission legislation would be indefinitely postponed. The right hon. Gentleman, therefore, promised to deal with this matter after the Irish Church question had been settled. But what progress had since been made? The Irish Church had been legislated for, and Irish land also; but this question of taxation, instead of making progress, had retrograded. He would not say that the right hon. Gentleman had added insult to injury; but he had added injury to injustice, for only last Session, instead of relieving the ratepayers from their burdens, he had inflicted upon them another rate—the education rate—and still more rates were now contemplated for Parliamentary election expenses, for turnpikes, and for improved sanitary measures. In the same year—the right hon. Gentleman having previously refused a Commission, it was announced in the Queen's Speech that two Bills on the subject, one of them for revising the incidence of rating, had been prepared; but neither of them had yet seen the light. The right hon. Gentleman gave them a Local Taxation Committee that year; but the Committee was so limited in its scope as not to touch the vital question at all. The only matter which that Committee had to deal with was to consider whether it would not be expedient for owners and occupiers to divide the payment of rates. But what remedy was there in that? What boon would such a division afford? There were to be the same charges upon the same persons as were interested before. The right hon. Gentleman was simply shuffling the same old cards, and he only carried the Report of the Committee by his own casting vote as Chairman. The right hon. Gentleman's proposal did not advance the question one atom—it was specious and plausible, but very insidious, for he knew that the owners and occupiers were united upon this question, and that when united they were very strong; but he thought he might throw a bone of contention among them and so divide them. He tried to set them by the ears—he adopted the motto *Divide et impera.* It had been said that agriculturists were not very intelligent; but surely they were not such asses as to suppose that such a proposition as that would do them any good. His hon. Friend the Member for South Norfolk (Mr. C. S. Read) had illustrated the proposal most admirably by saying that it was putting the same burden upon the same donkey, but dividing it into two different parts on the sapient animal's back, so as to induce the donkey to believe that it was very much relieved. The right hon. Gentleman had told them that, partly for convenience and partly from tradition, the main portion of local burdens had been put upon real property, while personal property had borne the main part of Imperial taxation. That course might be convenient; but, as for tradition, did antiquity save the Irish Church, or church rates, which was the oldest of all rates? It was evident that tradition was not of much avail in these matters. But he (Sir Massey Lopes) protested against the right hon. Gentleman's assertion that the balance was evenly adjusted between the taxes paid by personal property, and those borne by real property. He admitted that real property did not pay either probate or legacy duty, and only a mild succession duty, yet it paid other heavy taxes, one of them being the land tax, which was formerly imposed upon personal property as well, though personal property had since managed to shuffle out of it. He maintained, and was prepared to prove, that real property paid quite as much of Imperial taxation as personal property, or, at all events, there was not 1 per cent of difference between them; while it paid, at least, 8 per cent more of local taxation than personal property paid. In conclusion, he ventured to think that every thoughtful, sensible man would admit that our present system of local taxation was unsound; that it was wholly opposed to all principles of justice, common sense, and equality; that it was full of anomalous inconsistencies and injustices. The owners of real property asked for no favour and for no exemptions. All they asked for was an investigation, and if it were then found that they were not paying their fair quota of taxation they would be quite ready to do so; but if, on the other hand, they were found to be paying too much, they asked in all fairness to have the excess remitted. This was no party question; both sides of the House were equally interested in it; and it was not a question between town and country, for it concerned both alike. They had realized the truth of the maxim laid down by the right hon. Gentleman (Mr. Gladstone) in 1853, that the exemption of one man, of one property, or of one class, meant the undue taxation of another. Income from every source ought to be the measure of a man's ability to pay, and should form the basis of all compulsory contributions towards national taxes. Parliament had admitted this principle in the case of the income tax, and they asked that the principle should be extended for the fulfilment of not only all national, but of all Christian duties. Their guiding principles during the last half-century had been those of justice and equality. The House had abolished exemptions and prescriptions, removed anomalies and abuses, and abolished all class and individual interests. He called upon them to extend those principles impartially to every class of the community and to every description of property. He asked the House and the right hon. Gentleman to extend the area of assessment, and enlarge the basis of assessment for national purposes; to reform, revise, and re-adjust upon more equitable principles the system of local taxation. The hon. Baronet concluded by moving his Resolution.

MR. PELL, in seconding the Motion, said, that if any justification were required for the course his hon. Friend was pursuing, it might be found in the concluding paragraph of the Report of the Local Taxation Committee of last year. It was in the following words:—

> "That your Committee are of opinion that the inquiry on which they have been engaged forms only one branch of the general question of local taxation, and that other considerations, besides those which have been submitted to their investigation, should be previously taken into account in any general measure giving effect to the above recommendations."

This was his apology for trespassing on the time of the House. The subject was one of considerable magnitude. As far back as 1846 it began to attract the attention of the officers of the Poor Law Board, and surely it was entitled to their increased attention now. Year after year additions were being made—first on one head and then on another—to the already large amount of local taxation. Although his hon. Friend had well nigh exhausted the subject, there was one point to which he wished briefly to advert—namely, the supposed advantage enjoyed by real property with reference to succession duty. It was, no doubt, true, that the rates of succession duty were low, and, therefore, somewhat in favour of the landowners; but it must not be forgotten that the charges on real property, mortgages, &c., were very considerable, and that, consequently, the amount of real property benefited, so to speak, by the succession duty, was greatly reduced. For example, if a man died possessed of real property worth £40,000, and there were charges on it to the extent of £30,000, only £10,000 of real property would come under these favourable conditions with reference to succession duty, the remaining £30,000 being charged immediately at the rates laid down for legacy duty, and, he believed, probate duty. With regard to house property there was another curious anomaly. Take the case, for instance, of a wealthy man who died possessed of a considerable amount of property in ground rents. As far as the ground rents were concerned he would only have to pay succession duty; but when a leaseholder died owning one of these houses he not only paid succession duty, but for some inconceivable reason probate duty also. Therefore he had not so much advantage in regard to houses as the public were apt to imagine. It was obvious that possessors of visible means could be more easily taxed than others whose property could not be readily localized; and the nation at large could not be satisfied that the former paid all they should do until it had been ascertained whether those who ought to contribute to Imperial taxation did their duty in that respect. A remark made last year by the hon. Member for Finsbury (Mr. W. M. Torrens) forcibly indicated the attitude assumed by a certain portion of the community with reference to real property. He said that he (Mr. W. M. Torrens) made a remark to a noble Lord that those who had large visible properties should take heed how they moved, adding that the Devil was looking over the walls of large properties. He did not wish to retort; but could not refrain from asking whether the Father of all Evil was always absent from the councils of those who made up their returns under Schedule "D?" From the Report of the Commissioners of Inland Revenue, it appeared that 40 per cent of the persons assessed under "D" had understated their income to the extent of 130 per cent, the loss to the revenue under "D" being in the year 1864-5 no less than £57,250,000. The Commissioners very truly remarked—

> "The exemption of one man means extra taxation of another, so that if Schedule D gave its due quota to the revenue we might be relieved of many an unpleasant impost."

They added—

> "It must be borne in mind that on lands and houses, on dividends, and on salaries and pensions of public officers, the tax is levied nearly to the utmost farthing."

The class to which he belonged, occupiers of property, was subject to very exceptional conditions in the assessment of their property; and he used the word "exceptional" because different systems prevailed in Scotland and in Ireland. As a Member of the Local Taxation Committee, he elicited that in Scotland a tenant may fearlessly, at the commencement of his lease, raise the annual value of the property by improvements, and, according to the law and the practice, the assessment would not be raised until the rent was raised on the termination of the lease. How much of the improvement of Scotch agriculture was due to this practice? He further ascertained that in Ireland the valuation lasted for 14 years, that recent improvements, except buildings, were not assessed to the tenant, and that there were exemptions in favour of draining, agricultural buildings, and reclamations which were not allowed in England. Here, if a man took a farm at a fixed rent, and, by the application of capital, raised the annual value of the land, as soon as the fact came to the knowledge of the assessment committee, his assessment was raised, so that he was fined for making improvements and the assessment assumed a penal form. In his *Political Economy*, Ricardo said—

> "It must be acknowledged, however, that in the actual state of the poor rates a much larger amount falls on the farmer than on the manufacturer, in proportion to their respective profits; the farmer being rated according to the actual productions which he obtains, the manufacturer only according to the value of the buildings in which he works, without any regard to the value of the machinery, labour, or stock which he may employ."

This was high authority in support of the view he took; and what he had said with reference to the occupation of land and the improvement of the soil applied to a very great extent to money spent in building houses for the poor and to works of that nature. He thought he might fairly ask, now that we had suc a strong Government, that the question should be no longer dealt with in detail. The supporters of this Motion ought not to be put off with a Bill which did not contain the principles for which they contended; and if full justice could not be done, at any rate, the Government ought to give some of their time, energy, and ability to the consideration of this important question. Country people felt the pressure of the rates more than townspeople, for in the towns rates were wrapped up in rent; and when a landlord levied a distress for rent, the proceeding was all the more obnoxious because rates were substantially included in the rent for which the seizure was made. In the East of London he had known persons in receipt of charitable relief who stood on the books as owing £1 in rates, and this was the class which suffered from the special imposition of rates upon real property. He hoped the Government would do their best to pass a Bill which would not deal with a small part of the question, as last year's did, but which would redress the inequalities and wrongs complained of. He begged to second the Motion before the House.

Motion made, and Question proposed,

> "That, inasmuch as many of the existing and contemplated charges on the Local Rates are for National purposes, and that it is neither just nor politic that such charges should be levied exclusively from one description of property (viz. houses and land), this House is of opinion that it is the duty of the Government to inquire forthwith into the incidence of Imperial as well as Local Taxation, and take such steps as shall ensure that every description of property shall equitably contribute to all National burdens."—(*Sir Massey Lopes.*)

COLONEL CRACROFT - AMCOTTS said, the hon. Member for South Devon (Sir Massey Lopes) deserved the thanks of owners of real property, and especially those of the agricultural class, for the clear, able, and fearless manner in which he had brought this most important question under the notice of Parliament; and he was perfectly right in stating that there was great discontent among the agricultural classes at the evasion by the owners of personal property of their duty in respect of the payment of rates for objects which were nominally local, but which in reality were national. At the present day agriculturists did not complain of having to compete with the whole world in agriculture, for they were doing so successfully; but they complained that local rates, which were large many years ago, had not been diminished, but had been enormously increased. Let each county tell its own tale of enormous lunatic asylums costing tens of thousands, of prisons costing as much, and of military storehouses, for which the counties received a miserable modicum in the shape of interest; and let each tell, as it soon would be able to do, of rates for educational purposes, of rates for highways consequent on the abolition of turnpikes, and of rates properly levied for election purposes. He was told that to make personal property contribute to these rates was, in reality, revolution'; but we were not afraid of revolutions in this country, for we had had several peaceful revolutions within the last 40 years. He maintained, however, that it was no revolution at all to call in personal property to the aid of real property; indeed, it was nothing new in law; for the liability of stock-in-trade and other property of that character to be rated to the relief of the poor was at one time recognized, and especially by one of the clauses of the 14 Charles II., commonly called the Settlement Act. They could not deny that the old landmarks were fast fading away, and they lived under new and altered circumstances. What was expedient, politic, and just, 260 or 300 years ago, he maintained, was inexpedient, impolitic, and unjust in 1871. The truth was, when these taxes were first imposed on land there was very little money and a great deal of land. Now there was a great deal of money and very little land, and he held it to be both just and politic that personal property should be made to contribute to those rates which at present fell almost entirely on real property.

MR. SCLATER-BOOTH observed that if he were to follow his hon. Friend (Sir Massey Lopes), who had in a manner identified himself with this Motion, and who had introduced the subject with great ability, through the whole of his observations, there were some points on which he might be unable to agree with him; but he was able entirely to approve of the terms of the Motion he had made. It was now three years since his hon. Friend first brought forward the question, and he then had, as a Member of the Government, taken part in the debate. The subject had made great progress since that time; but he could not say that, taking all circumstances into consideration, he was prepared to go much farther than he then stated. He would rather see some practical proposal for dealing with the question on a certain definite basis, and proceeding on the precedents before them in regard to the taxation of the country than plunge into an inquiry of indefinite extent, which must necessarily consume an enormous amount of time. When they considered the variety of important subjects that must necessarily engage the attention of the Government for some time to come, it seemed to him that probably their children's children's time would arrive before the balance would be fairly struck between local and Imperial taxation. Without going into various smaller matters, there were two flagrant and important instances of inequality as regarded local burdens, from which the landed interest now suffered—the cost of the police and of lunatic asylums. As to the police, the Home Office might as well be nominally, as it was in reality, the controlling power of the police; and even if the control of the police were nominally retained in the counties and the boroughs, he saw no reason why the Treasury should not raise their contribution to the cost from one-fourth to one-half, or even two-thirds of the amount. If the present contributions were doubled, it would be an addition to the Vote by Parliament of £300,000 a-year. A similar contribution would provide for one-half of the lunatics in asylums. The obligations laid on parishes in recent times to maintain the lunatic poor in a most expensive manner did not arise in any way out of the old constitutional liability of the land to support the indigent poor. It was an obligation which the humanity of the age required to be undertaken. It had been felt, long since, that this was a burden too heavy for the parish to bear, and therefore the cost of the lunatic poor had, long before the passing of the Union Chargeability Act, been made a Union charge. There seemed nothing contrary to analogy to what had already been done, or to the justice of the case, and it would be a great relief to ratepayers if one-half, at least, of that burden were borne by the Vote in Parliament. Then there might be an extension of the sum paid through the Poor Law Board in aid of the establishment charges of paupers in workhouses. The present Government could raise no objection to that proposal, considering the gigantic strides made last year in favour of a general charge on the whole metropolis. That was a very serious and important change. He did not object to it, and the principle would carry the Government very far, if they were so minded, to extend the very infinitesimal relief now given in aid of local expenditure, and he should cheerfully accord to them any increased portion of central authority they might desire to have for that contribution. He was not afraid of the tyrannizing power of the Poor Law Board so long as it was paid for by contributions of this description. In saying these few words his object was to guard himself, whilst supporting this Motion, from being supposed to desire that this great question should be ripped up, and should pass through years of inquiry.

Mr. W. FOWLER said, he had referred at some length to this question a few years ago when he made a Motion in regard to the succession duty, and he must say the terms of the Motion of the hon. Baronet (Sir Massey Lopes) were perfectly fair. He sought for inquiry, but did not seek to prejudge the question by the terms of his Motion. The hon. Baronet said he was not afraid of inquiry, and neither was he (Mr. W. Fowler) afraid of it; he should, therefore, have great pleasure in supporting the Motion. But to show how very differently this matter struck different minds, he would read to the House a few lines spoken by no less a person than Mr. Cobden, in 1845, upon this question, when he said that, great as he considered the grievance of the protecting system; mighty as was the grievance of the Corn Laws, the question of taxation presented a blacker record against the landowner than even the Corn Laws. He therefore warned them against the ripping-up of that question. The hon. Baronet did not take Mr. Cobden's warning, and he accepted the hon. Baronet's challenge. That was not a party question, but an Imperial one; and their desire should be to do justice to all classes of the community. He wished they were oftener engaged upon plans for getting rid of rates than for re-distributing them among different classes; but while the country spent more than £100,000,000 a-year on drinks he did not see much chance of their rates diminishing, but rather of their increasing. They had not to consider whether the landlord paid so much, or the tenant so much—the question was, whether the land itself paid more or less than it ought to pay. The hon. Baronet hardly laid stress enough on the different characters of the various kinds of property he had to deal with. There were many crises in a country in which its real property would retain or even increase its value, while some kinds of personal property might entirely disappear. If we had a war with America vast amounts of personal property would vanish as it were in a moment, while real estate would remain almost unaffected in value. The hon. Baronet said the rates were so heavy that a man was not inclined to lay out his capital on land; but a still greater discouragement to the application of capital to the land arose from the character of our laws as to land. The plan of tying up land in strict settlement operated as a greater discouragement of that kind than any rates in the world. If a man was only tenant for life, and subject to all the charges the hon. Baronet had spoken of, how was he to lay out money on the property? He must have a very large surplus income if, as tenant for life, he was to lay out money on cottages that would not pay; whereas if he was an owner in fee simple he could sell part of the estate to improve the rest, or borrow money upon the property. Again, a tenant from year to year had not the inducement he ought to have to expend capital on land; and the reason why rents were higher in Scotland than in England for the same qualities of land, was because the Scotch farmers had the security of leases for what they laid out. The Chandos clause, he believed, had more influence in checking the flow of capital to land than even the local taxation to which it was liable. But his chief ground for supporting that Motion for inquiry consisted in the enormous anomalies connected with our taxation. He took the succession duty as an illustration. The Act imposing it was very remarkable, and he gave its author credit for it as far as it went; but it charged the tenant-in-fee no more than the life-tenant, although the property of the former, taking one case with another, was worth at least double that of the latter. That was a gigantic anomaly in itself, and one involving great injustice. Again, nothing could be more monstrous than the state of the law in reference to the probate duty. On the vast estate spreading around or near that House there was an immense number of leasehold houses of the greatest possible value. All those leaseholds, though heavily taxed for local purposes, paid probate duty, but the reversion paid no additional taxes whatever. Another great anomaly was the mode of assessment. If they assessed a farm, they assessed it at a rate approaching in amount to the whole of the profit made from it; but if a great factory was assessed, it was not assessed in relation to the profit derived from it, nor in general to an amount approaching that profit. There was a want of any kind of principle in the mode of assessment. The case of the railways, again, was one of the greatest injustice in the whole range of our taxation. They taxed a railway locally, and not merely on the agricultural value of the land, but as a profitable trade; and when the shareholder died they made him pay probate and legacy duty, he having also been subject to the carriage duty. The railway debentureholder was to all intents and purposes in the same position as a shareholder, inasmuch as his property was in law personal estate, but he had not to pay a farthing of local taxation, while the railway shareholder paid in an aggravated form. One railway company paid £80,000 a-year of local taxation—equal to a dividend of one-half per cent per annum on its shares. There were many poor people interested in railway companies, as well as rich, and it was the duty of the Government to look into that whole question. There were many of those charges which the hon. Baronet admitted ought to be paid for locally; but the difficulty remained that a man might be living in a neighbourhood, and might get all the benefit of its administration, and of the money spent out of local taxes, but because his property was mere personalty he did not pay. He thought there ought to be a very marked difference between the taxation of realty and personalty; but our system was so full of anomalies that it was high time to consider the whole matter. The man who lived near a public road paid for its maintenance, although he might not possess a vehicle of any kind; while the man who lived perhaps at a distance, but whose heavy carts rendered frequent repairs necessary, paid nothing towards it. This was one result of the abolition of turnpikes. A man complained of having to unbutton his pocket to pay the tolls when they existed, but when they were being swept away no one appeared to remember that a man who, perhaps, did not use the road would have to unbutton his pocket to pay the rate. It was an easy matter for Parliament to lay expenses of this kind upon the rates, but in doing so an injustice was frequently committed. For his own part he did not shrink from the results of this inquiry, whatever they might be. He believed that the future of the landed proprietors in this country was in their own hands, and that they might prosper if they chose. If they got rid of those antiquated laws and customs which discouraged the application of capital to the land, the increase of wealth to the owners of land would be such that even these heavy local taxes would seem as nothing to them. He hoped the Government would see their way to inquire carefully into this whole question and to ascertain whether or not an injustice existed. If the existence of such an injustice was established, hon. Members on the other side of the House might rely upon him, and those who sat near him, to support them in their efforts for its removal. Having pointed out the serious anomalies that existed in our local taxation he should give the Motion his hearty support.

MR. SCOURFIELD said, he had heard with satisfaction the views of the hon. Member who had just sat down with reference to the subject of the abolition of turnpikes, to which he had always been opposed. He wished to say one word in regard to some remarks which had been made as to the employment of the police in the protection of game. He had had some experience at quarter sessions as to the employment of the police, and he could say that their employment in the protection of game had been so very exceptional as scarcely to be worthy of notice. He could confidently assert that by far the greater majority of cases in which the police were engaged related to the protection of property of very poor people. The mass of the cases which had come before him had been robberies and breaches of the peace. In regard to the comparison which had been made between personal and real property, and the liability of personal property being destroyed, why, the answer to that was that if such property ceased to exist it would cease to be rated. Nobody contended for rating property except according to its value. He thought it quite time that some Motion of this kind should be brought forward to check that unfortunate custom of paying for everything out of the county rates. The word "rates" seemed to excite a totally different feeling from the word "tax" in the public mind. The Chancellor of the Exchequer would shudder at the possibility of putting on 1*d.* or 2*d.* on the income tax, and would think that by doing so the stability of the country would be shaken; but an additional 2*d.* or 3*d.* to the county rates was thought nothing of. For instance, last year an education rate, imposing an unascertained burden upon the ratepayers, received the sanction of that House; and during the present year it was proposed to throw the election expenses upon them. In his opinion, it had become far more important to guard the rates than the taxes. He also desired to protest against dealing with this case by merely shifting the burdens from the owners to the occupiers. It was his lot to represent a county, which, particularly in the Welsh part of it, contained a great number of small holders, and it would be no relief to have the rates shifted from the owner to the occupier. Suppose a man was both owner and occupier. To tell such a man that he was to be relieved was like telling a man who had formerly paid five shillings that now he was to pay two half-crowns—one out of the right-hand pocket and one out of the left. He wished to make a remark also as to the very expensive machinery employed in collecting rates. He rejoiced that magistrates had been relieved from the odium that had at one time attached to them, in consequence of its being supposed that it was they who imposed the rates; because it was now ascertained that the magistrates were only responsible for 18 or 20 per cent of the rates, the remainder being imposed by statutes over which they had no control. The rate was collected by a very circuitous process. A class of Commissioners came down; they had no interest in the country, but their position as Inspectors and their feelings as such were all enlisted on the side of increased expenditure. There was no controlling power. It was a saying of Sidney Smith, that every man would be a good Samaritan if he had only the oil and the 2*d.*, and a great many of them would be good Samaritans if it were not for the want of the oil and the 2*d.* They should remember that there was a very artificial distinction between the poor and the rich. He believed a poorer class of men did not exist than the poorer class of ratepayers. He thought it was a remark of Sir Robert Peel, which he had heard quoted in this House by Sir James Graham, that there was not a more miserable class of persons than where the fustian ended and the broad cloth began. He had had the honour, on two occasions, to call attention to the case of the Board of Commissioners of Lunacy. Now, what was that Board? To whom were they responsible? Were they under the control of the Home Office? They did not seem to be under the control of the Poor Law Commissioners. All their action was in the direction of great expense; and he, for one, was not able to perceive any great benefit derived from them in the matter with which they were connected. Without pledging himself to all the details in the statement of the hon. Member for South Devon (Sir Massey Lopes), he still concurred in his Motion. Whatever might be said in regard to local expenses and local management, responsibility for the expenditure should rest where it ought to rest — on those who had the control over it. It should not rest on those who had no control.

MR. J. WHITE said, the hon. Baronet had discussed a most important question in such an admirable spirit that he disarmed criticism as to that part of his speech with which he (Mr. White) did not concur. The hon. Baronet told the House that he wanted a Select Committee, and that that Committee was to investigate and report, regardless of consequences — that was to say, the hon. Baronet was quite prepared to accept its decision, whether it proved that the owners of real property would be benefitted by the present system being continued, or damaged by any recommended alteration. His (Mr. White's) main object in speaking was to refer to the Imperial taxation. They had had Committees on every imaginable subject, and there had hardly been anything that had not been deemed worthy to engage the attention of a Committee of that House, except that most important subject which involved so many interests, and which it fell peculiarly to a household-suffrage Parliament to consider—namely, the incidence of taxation, and what means should be devised for its being equitably assessed. The hon. Baronet had dealt at very great length with that portion of his subject which related to local taxation; but, seeing that the local taxation of the country amounted only to 16*s.* per head of the population, and that the Imperial taxation amounted to 49*s.* 3*d.* per head of the population, it was evident that the most important part of the subject related to the Imperial taxation. There was much more dissatisfaction prevailing with regard to Imperial than with regard to local taxation. He could not help believing that there was a bitter feeling in the popular mind as to the inequality of our taxation. It was not believed that everyone contributed to the cost of the Government in proportion to the revenue which he enjoyed under its protection, and that furnished an argument for the Committee which had now been moved for. He thought that such a Committee would knock away and get rid of a vast amount of popular delusion and current misconception which obtained as much among the upper as among the lower classes in reference to taxation. There were some who believed that the lower classes, owing to the late remissions of taxation, did not pay their proportion to the general fund; while, on the other hand, it was alleged by those who had looked into the subject carefully, that the working classes still paid a very much larger proportion than they ought to pay. He (Mr. White) had arrived at the same conclusion. Even with the diminished duties they were now paying upon sugar and tea, he found that, for the year ending the 31st of March last, the vast sum of £38,300,000 was derived from the custom and excise duties on the six articles mainly consumed by the working classes—namely, sugar, tea, coffee, malt, spirits, and tobacco; that total of £38,300,000 was £11,500,000 more than the whole amount of the interest on the National Debt; and, from that fact, he considered it obvious that the working classes still paid a greater proportion of the taxation than ought to be their fair share. There were a great many points on which he should like information. If a Select Committee were appointed, he should like to know how it came to pass that the succession duty, which was introduced in 1853, had not yielded the sum that was then expected from it. The right hon. Gentleman the present Prime Minister then told the House of Commons that he quite counted on deriving £2,000,000 per annum from that duty. His estimate was thought ludicrously low, and Lord Cairns, and other great authorities, averred that £4,000,000 would be obtainable from it. But the average sum which had been derived from that tax during the last 16 years was only £620,000 per annum. It was a puzzle to him to know how the Government of the day, with all the information before them, had made such a mis-estimate of the proceeds of the succession duty. It might be that this small average arose from the vast charges and incumbrances with which landed property was generally burdened; and, if this were so, the time must soon come when an Encumbered Estates Court for England would be as beneficial as it had proved in Ireland. Another anomaly requiring explanation was to be found in connection with the house duty. This duty contributed £987,000 in the year 1866, of which sum — according to the detailed Return for that year — the county of Radnor paid £175, Merioneth £329, and Rutland only £473. The house duty paid on farmhouses also presented some curious discrepancies calling for explanation. This particular duty of 6*d.* in the pound of rental, realized in the year 1866 a total sum of but £13,940 17*s.* 6*d.*, of which the county of Anglesea contributed 10*s.*, Cardigan rose to the sum of £1, Pembroke gave £2 12*s.* 6*d.*, Westmoreland £4 12*s.* 6*d.*, Cornwall £9 8*s.*, and Cumberland £14 2*s.* With regard to the probate duty the present Prime Minister told the House 17 years ago, that the long-continued and anomalous exemption of landed property from probate duty ought to be considered at a very early day, notwithstanding which declaration, after this lapse of years, that which many people believe to be a very glaring injustice was still in existence.

Mr. C. S. READ thought that the present system of local government was a very bad one. We had the evils of centralization without its benefits. Within the last 35 years we had entirely revolutionized our system of parochial taxation. We had abolished every parochial officer, some of those offices having existed since the days of King Alfred. He would begin with the overseer. The overseer was virtually put aside under the new Poor Law, but the new guardian was the guardian of the parish till we got the Union Chargeability Act, and now he was no longer guardian of the parish, but of the Union. We still had in some districts the parochial surveyor, but his death warrant was signed by the Home Secretary, and the new waywarden, if he understood rightly, would not be the waywarden of the parish, but simply the waywarden of the highway district. Then there was the old parish constable, who was always to be found, but was never of any use when he was found. We had in exchange for him the rural policeman, who, though he might be some good when he was found, was never to be found when he was wanted. The only parochial officer who was not abolished was the parson, and he had received notice to quit from the junior Member for Bradford (Mr. Miall), and it only required some "bold" man to endorse this and carry it into effect. He would not say whether all this was for weal or woe, but for what purpose was it? To make local taxation more uniform, and to increase Government responsibility and Government power. He agreed with his hon. Friend the Member for South Devon that we had come to a perfect chaos. We had got a regular system of patchwork. Parliament was constantly creating some new Board, with some great central authority in London; there was no order, no system, and one district was constantly overlapping another. There was one area for the Poor Law, another for highways, another for justices, another for taxes, another for education, and we were going to have another for election expenses. Sometimes we had two Boards pretending to have authority over the same matter; but very generally, when there was any particular nuisance to be abated, each put in a plea that it had no authority. He feared we were gradually drifting into the centralization of France, where, if he was informed rightly, they could not repair a parish pump without a correspondence with the Minister at Paris. In America they managed things differently, and there the system of local administration was better carried out. The House had heard, and no doubt would hear again in the course of the debate, that with larger contributions from the Imperial Exchequer, we should have lavish local expenditure. But the Government had the power to interfere and dictate now, and he, for one, should be very glad, provided they only paid, if they were to increase their authority. But now we had Cabinet Ministers presiding over great central Departments; we had Inspectors without end, Commissioners, Commissions, Government officials, and all sorts of secretaries, and there was the extraordinary mania of bringing everything to London. His hon. Friend the Member for Linlithgowshire was of opinion that the parochial education of Scotland, which was the very best in the world, was about to be interfered with, if not destroyed, in order to bring it into that muddled vortex, the Privy Council in London. Therefore, with all this increase of Government influence we had the loss of local power, and did not get any more pay on that account. The Government contributed last year only 1-26th of the poor and county rate. Taking the poor rate as far as regarded the relief of in-door paupers, the President of the Poor Law Board was omnipotent. He directed the diet, clothing, discipline, and even punishment of the paupers; and although he believed the metropolitan guardians were sometimes a little obstreperous, he did not know an instance in the counties in which the orders of the Poor Law authorities had been disobeyed, except one, when the Inspector told the guardians that they had better paper their board-room instead of colouring it. With regard to out-door relief, he endorsed everything that had been said by the hon. Member for South Devon. The authority of the guardians was limited to whether an old woman should have 2*s.* 6*d.* or 3*s.*, and whether the doctor's salary should be £30 or 30 guineas. As for the quarter sessions, it was a solemn farce. The idea of the ratepayers was that the magistrates there were very big men, who had ample power to do just as they pleased, and inflict upon them all sorts of burdens. But what were they but the humble and obedient servants of the Home Secretary? The Home Secretary told them exactly what to do, and if they did not do it he would not give them the Government allowance. His hon. Friend had mentioned the case of lunatic asylums. The way in which they were managed was incredible and perplexing. First of all, there were the magistrates in quarter sessions, who were not elected by the ratepayers; they appointed a visiting committee which had their own clerk, who sent out orders to the Unions as to the contributions they were to make. Anyone would imagine that the visiting committee had very large powers; they had no power at all, except to spend what the Commissioners of Lunacy told them, and these gentlemen were constantly coming down, airing their different crotchets, putting the counties to some new expense every year, and though he admitted there were more cures than there used to be, the relapses, also, were very much more numerous than before. The fact was, the paupers were so well off in the asylums, so luxuriously fed and housed, that when they got back to the hard usage and poor fare of their cottages, the malady returned with redoubled force. It was most pleasant and instructive to see how one Government Department helped another. There was in Prince's Street, Westminster, an offshoot of the Privy Council which caused farmers in the country an immense deal of annoyance and expense. Those gentlemen found that they could not insist upon the counties appointing veterinary surgeons as cattle inspectors, some wishing, wrongly he thought, to employ a rural police. But down came the Home Secretary and said—"You shall not employ the police for such a purpose," and thus if one Department failed another immediately stepped in and carried out the orders. He was going now to make a quotation—a thing which he hoped he should never do again—from the greatest of living philosophers, Mr. John Stuart Mill. He did it with fear and trembling, because other gentlemen who had followed Mr. Mill's recent writings would in all probability say that what seemed to him unanswerable had been entirely disproved by some recent essay. The quotation consisted of two lines taken from his *Political Economy*—

> "A peculiar tax on the income of any class, not balanced by taxes on other classes, is a violation of justice and amounts to partial confiscation."

Apply that doctrine to local rates. First, with regard to real property, there were dockyards, barracks, custom houses, Royal domains, mines, woodlands, &c., forming a long list of exemptions from local taxation. Then there was the immense and greatly increasing mass of personalty, whose proper local burden was cast upon a portion of the realty of the country. His hon. Friend had told the House plainly what real property was rated to. He would not go over the ground again, but would just mention that only last night his noble Friend Lord Kimberley introduced in the House of Lords a most excellent measure for regulating the diet and lodging of vagrants. Now, what in the world had real property to do with vagrants, that it should be saddled with the cost of their diet and lodging? Assuredly, vagrants were not likely to run away with household fixtures, or to take away any portion of the soil. He should fancy that personal property would be much more likely to be pilfered, injured, or destroyed by them. Had hon. Gentlemen contrasted the rates raised from real property with the burden of the income tax? Last year the Revenue raised by property and income tax was 1-60th of the property assessed. The revenue raised by rates was one-fifth, according to his hon. Friend; he would put it at one-sixth. Local taxation was a second crushing income tax, falling frequently upon persons and properties least able to bear it. The House had been told that the heavy burdens upon land were counterbalanced by its exemption from Imperial taxes, but Mr. Cobden's warning was uttered when the land had special privileges and could bear special burdens. Land, escaped in a measure, legacy and probate duty. But take the case of two men, aged 21, one of whom was left an estate valued at £10,000, from which he derived an income of £300 a-year, and the other, £10,000 in cash. The latter would pay £100 legacy duty and £200 probate, making £300, while the former would, if his estate were clear, pay only 50 guineas for succession duty. That might be said to be a gross case of inequality, leaving £250 to the debit of the man who inherited the cash. But, assuming that the first man paid rates to the moderate amount of 2*s.* 9*d.* in the pound, upon his assessment of £300, he would, in 30 years, pay £1,200, so that, instead of paying £250 less, he would have paid £950 more than the other to whom the cash was bequeathed. But, suppose he improved his estate, and borrowed £2,000 to improve it with, he would then have to pay 4 per cent for the money, and 2*s.* 9*d.* in the pound on the annual value of these improvements as long as he lived. Take the case of the farmers. In spite of all the promises made when free trade was passed, they had not been relieved from one single burden. Almost all their exemptions had, indeed, been taken away, such as the taxes on shepherds' dogs, and riding horses, and fire insurance. Last year the last rag of protection was swept away in the shape of the 1*s.* duty on corn, and the farmers were then called upon to pay 10*s.* a-piece for their crow guns. He had heard it said that the farmers enjoyed an immunity from income tax because they paid under Schedule B on half their rent and tithes. That was done because it was known they hated trouble, and would rather pay a good round sum than keep accounts. He believed that in Scotland, where rents were high, the farmers paid on one-third of their rent; while in Ireland, where the rents were extremely low, they paid, for some Hibernian reason, the same as in Scotland. Take the case of arable land in England. If the farmer paid 35*s.* an acre for rent and tithes, 10 per cent on £8 10*s.*, supposing that to be his capital, would be 17*s.* Half his rent would be 17*s.* 6*d.*, and upon that he would be charged property tax. Notwithstanding Mr. Mechi's agricultural romances, as he might call them, about the profits of farming, he (Mr. Read) had never been able to make 10 per cent for two consecutive years on the money he employed in agriculture, and if he had had to pay income tax on his profits during the last three years, he should have paid considerably less than nothing. One thing was certain, that if this alteration were made the farmers would be obliged to keep better accounts. Agriculturists were at present exempt from the duty on cart-horses. Any such impost, if attempted to be levied, would be a tax on the motive power employed in agriculture, and if cart-horses were taxed it would be impossible to resist the inference that the motive power employed in manufactures ought to be taxed as well. Mr. Cobden said that—

> "It would be impossible, and if it were possible it would be most unjust, to retain the malt tax after the Corn Laws were repealed."

His hon. Friend, who came from a cider producing district, had said nothing about the malt tax, but the growers of barley felt the pressure of this tax very heavily. They had sold this year their barley at 32*s.* a quarter, and it was taxed 22*s.* by the revenue officer directly it went out of their possession. Some Linconshire gentlemen contended that the malt tax was no great burden; but he only wished the Government would put a tax of 60 per cent on woollen yarn, the produce of the county of Lincoln. He should like to know whether the Lincolnshire sheep-farmers would then be able to get as much money for their wool. Look at the transfer of the hop duty from the hop grower to the manufacturer. The result had been that the grower had pocketed almost all the duty, and had sold his hops at the same rate as if he had had to pay the duty. A fair inquiry would show how the malt duty and local taxation pressed upon the agricultural interest, and he sincerely hoped Her Majesty's Government, after his hon. Friend's Motion had been so generally supported on both sides of the House, would grant the request contained in the Resolution.

MR. CHADWICK said, that having given considerable attention to this subject, he had arrived at an opposite conclusion to the hon. Member (Sir Massey Lopes). Many of his statements would not be borne out upon investigation; but if the hon. Baronet, leaving out the declaratory words of his Motion, had moved for a Committee of Inquiry into the incidence of Imperial and local taxation, and the best means to insure a proper adjustment of the same, he would have been supported by the Members on his (the Ministerial) side of the House, irrespective of their connection with commerce or land. The hon. Gentleman had quoted Mr. Dudley Baxter's paper read before the Statistical Society; but his calculations had by no means been accepted by the members of the society. They were totally unsupported, and he regarded the paper as belonging to the romance of statistics.

MR. LIDDELL said, he did not recollect any former occasion on which a subject had been debated for so long a time with so much unanimity as to the expediency of adopting a particular course. He hoped the Government would grant a Committee of Inquiry in compliance with the evident wish of both sides of the House. He grounded, however, his anticipation that the Government might refuse the inquiry demanded, upon a remark which on Monday night fell from the right hon. Gentleman at the head of the Government, that the Motion might as well be let alone, because, as the right hon. Gentleman hinted, the Government were prepared to bring in a Bill upon the question. With all deference to Her Majesty's Government, whether a Bill was ready or not, that was no reason why an inquiry should not take place. The question was one which, in his opinion, was hardly ripe for legislation. His hon. Friend who made the present Motion (Sir Massey Lopes), and those who thought with him, made allegations which went to the root of the whole principle of our financial policy, and how, he would ask, were these allegations to be disposed of except by careful investigation before a Committee? While supporting the Motion of his hon. Friend, he was aware that there were difficulties to contend with in reaching exempted property arising from the limited terms of the statute of Elizabeth, the only one existing on the subject, and from the limited construction which custom had put upon that statute. The Courts held that, in order to be rateable, property must combine certain qualifications. It must be visible, productive, and situate within the parish. The moment they wanted to rate personalty, even if they succeeded in laying hold of it, they met the greater and insuperable difficulty of allocating the produce. This was the great difficulty that arose in dealing with personal property for the purposes of parochial taxation. But these were questions which they wanted to discuss. They wanted to meet this difficulty, and he could see no means of doing it except by an exhaustive inquiry before a Committee. This was a reason, and a strong reason, in favour of the Motion of his hon. Friend. He would venture also to express an opinion that they must proceed with great caution. For his own part, he was not prepared to go so far, or anything like so far, as his hon. Friend. He was rather, he must confess, alarmed at the possible consequences of carrying this matter to its legitimate issue for rating purposes. One of the first things that met the eye when they came to deal with personal property was stock-in-trade. Farm stock had never, since the early part of the reign of Queen Anne, in 1706, been held by the Courts liable to rating. Stock-in-trade on the other hand was liable under the general law and was only exempted by an Act annually renewed; but if they declared that stock-in-trade was liable to rates, why should they continue the exemption of farm stock? And if farm stock were taxed, there would be an interference with the profits of the farmer which must immediately re-act on rents. These were matters that must not escape notice; and, therefore, he said, let them be very cautious how they proceeded in this matter. Their objects were very deep-rooted, and they went to the whole basis of our financial system. He had heard this question discussed out-of-doors with great ability, and he never heard an answer attempted to be given to the simple question, why real property, houses and land only, should be subjected to the whole weight of local taxation? He hoped it would receive an answer that evening. They went further. There was no mistake so great and so mischievous in finance as to tax one industry at the expense of another, because the inevitable effect would be that they artificially stimulated and encouraged the untaxed industry and proportionately prevented the application of capital to the taxed industry. These were broad accusations against our system of finance, and he wanted to find out how those errors and injustices were allowed to exist. There was another word of caution which he would like to utter. His hon. Friend (Mr. C. S. Read) who spoke earlier in the debate looked with natural dread at the increase of central authority. Now, he was very much afraid that if they set themselves to work to include personalty within the area of rating—in fact, to levy a parochial income tax, because it would be nothing else—the same machine that was employed to collect the Imperial income tax would be employed to collect the other tax, and the Treasury would not be justified in advancing sums of money in aid of rates without exercising a supervision over the expenditure of them. But, then, were they to have a representative of the Poor Law Board sitting in every Union in the kingdom? Because he was very much afraid that their cherished principles of self-government would be assailed, and a vast increase of central authority would ensue. He was quite sure of this—that if they wished to extend rating to all the property in the kingdom, they might do it; but they would lose a large amount of the power to govern themselves. He was very much afraid also that, unless they proceeded with great caution in promoting an exact uniformity and equality, they might do a very great injustice to a class of incomes which they ought to treat very tenderly—the industrial incomes. They had been told that there ought to be a graduated income tax; but the right hon. Gentleman at the head of the Government had always set himself against that principle. But it appeared to him (Mr. Liddell) that unless they were very careful they would be doing injustice in attempting to obtain uniformity and equity. Therefore, let them be cautious in what they did. Let them take care that in seeking to remove one sort of injustice they did not create another; that in trying to remove one evil they did not produce a worse. What he thought they ought to seek, and what was the most easy and practical mode of dealing with the question, was a classification of rates. He hoped that the Government Bill would deal with the question—what portion of the rates was applicable to national purposes as distinguished from the purely local purposes. It appeared to him, upon the best and most careful

consideration he could give to this most difficult subject, that this was the direction in which relief might be given in the most unobjectionable manner. If they came to a rate-in-aid the Government would require a supervision; but the principle was already acted upon with regard to the maintenance of the police. So that it was not a new principle; it was a practical principle, the application of which could be fairly and properly controlled by the central authority. There was one other point to which he would like to allude. It struck him as one of the most remarkable features in the debate, that the hon. Baronet had said it was a poor man's question; and the statement was received with something like ironical observations by the Treasury Bench. He (Mr. Liddell) said it was essentially a poor man's question; because, travelling into the large towns of the kingdom, the ratepayer was found in the poor occupier of the poor houses, and the remarkable circumstance was this—that the poorer the parish, and the nearer the inhabitants of the parish were to the verge of pauperism, the higher were the rates and the less the means which they had to meet the demands made upon them. His hon. Friend was then justified in saying that it was a poor man's question, and it was in that light that he (Mr. Liddell) wished to look upon it. He did not venture to advise the Government; but he hoped that they would not attempt to shirk this question. It had been discussed throughout the length and breadth of the land with great ability, with great intelligence, and with clear-sighted views, it had assumed an imposing aspect, not by declamation, not by hustings speeches, but in the calm intelligence of the people of England brought to bear on it, and it would be not only unwise, but it might even be dangerous for Parliament to attempt to trifle with it.

Mr. GOSCHEN said, the hon. Member who had just spoken had properly pointed out that upon a certain portion of the Motion of the hon. Baronet considerable unanimity prevailed, the feeling on both sides of the House being that the Government should take steps to insure "that every description of property shall equitably contribute to all National burdens." In that portion of the Motion of the hon. Baronet the Government coincided. The second point in the hon. Baronet's Motion was, that it was the duty of the Government to inquire forthwith into the incidence of Imperial as well as Local taxation. The hon. Baronet had not moved for a Committee; he said it was the duty of the Government to inquire. He (Mr. Goschen) would reply that the Government recognized that duty, and if there had been more delay than had been agreeable to the House in communicating to it every statement and every figure that could throw light on the subject, it had been because the inquiry had been most intricate, and that the Government had been most anxious that the results should be perfectly accurate. At this moment, they had statements showing with regard to every tax how it was divided between various sorts of property and various classes of taxpayers. The Government had collected from foreign countries the information to which he alluded last year. The work was not one that could be performed in a day. The Government said that instead of appointing a Royal Commission, they would do the work themselves; and he submitted that the Government had redeemed its pledge, and would lay before the House the whole of the information they had promised to procure. The question before the House was this—Did the country wish the Government to speak or to act? Did the House wish the Government to inquire or to legislate? The Government believed that it was their duty to legislate on the subject; and accordingly hon. Members in the House were aware that in the gracious Speech from the Throne it was announced that the re-adjustment of local burdens was one of the matters with which the Government were willing to deal during the present Session. Did the House wish the Ministerial measure to be deferred till further inquiry should be made? Or did they wish the Government to take the course which, in obedience to the feelings of the country and their own convictions, they felt it their duty to take—namely, to deal at once with the subject of local rating, and see whether they could not, by a comprehensive measure, inaugurate a new era in the country in the history of this vexed question? That was the ambition and the plan of the Government. Liberal Members would judge whether, in their attempts at legislation, the Government had been afraid to legislate in a comprehensive manner. Was it the wish of the House that further inquiries should be prosecuted, and further facts elicited by the appointment of a Committee, which was to consume the Session in inquiry, instead of allowing the Government to remedy at once some of the grievances which they were prepared to acknowledge? He might claim to be not an opponent, but a competitor of the hon. Baronet who had introduced this Motion. Whether the hon. Baronet or he himself, in the first instance, called the attention of the House to this subject he did not remember; but it was one in which he took as deep an interest as the hon. Baronet did. To him, therefore, it would, he confessed, be a disappointment if the House, instead of allowing the Government to produce their Bill on local rating, should relegate the duty to a Committee upstairs. What would be the position of the question before a Committee? Did the House really wish that all matters connected with local and Imperial finance should be decided by a Committee, where the absence of one or two Members might cause the entire difference as to whether the decision was given in one direction or in the other? Select Committees were constituted by choosing 11 Members from one side of the House and 10 from the other; and though the 11 Members might represent the overwhelming opinion of the House, they might be outvoted by the accidental absence of two of their number, and financial doctrines might be laid down at which the Liberal party would stand aghast. There were many arguments against such a composition of Committees and in favour of a larger representation of the majority of the House; but, generally, did hon. Members wish the question of the share of taxation which ought to be borne by land, houses, and other sorts of property to be decided in the first instance by a Committee up-stairs? The Mover of the Resolution had made a most able speech; and he tendered to the hon. Baronet his most hearty congratulations. He wished also to apologize for having indulged in merriment when the hon. Baronet said that the high rating of land had alienated capital from the soil. It was "a penal tax;" and the hon. Baronet was afraid that capitalists might were prevented by it from seeking an investment in land in this country, and that capital was driven abroad. Now, was that the experience of hon. Members with regard to the purchase of land? ["Yes!"] Against such an opinion he would place the experience of anyone who had ever tried to buy a piece of land. [An hon. Member: To farm it.] Well, but did farmers pay the rates, or owners? Was it industry or property which paid them? If the farmer paid the rates, they fell on his personal property, and must be deducted from any estimate of rates borne by owners. This fallacy underlay the whole of the hon. Baronet's arguments. He said it was not politic that local charges should be levied exclusively on one description of property; but he really meant two—houses and land. [Sir MASSEY LOPES: Real property.] But were houses and land one description of property, and would hon. Members opposite contend that the same principles applied to both? Several hon. Gentlemen had quoted Ricardo and Mill. They would find in those authorities that taxes on a house differed entirely from taxes on land. A house involved far more capital than improvements on land; and in proportion as this was so, taxes fell more heavily on houses than on land. He disputed the proposition that the rate on houses and the rate on land were the same; for the land remained, and houses decayed. He could produce an excellent witness in proof of the truth of that assertion—namely, the hon. Baronet himself, who, in bringing forward his Motion last year, admitted that the occupiers paid a considerable portion of the local rates; but did the hon. Baronet make any deduction on that account when he came to speak of the rate on the owners? The hon. Baronet had naturally confined himself principally to the question of land, but the Government must also consider the question of houses, before legislating on the subject. It might be true that the owners of property had to bear more than their fair share of taxation, and it might be true that the occupiers of houses were also paying more than their fair share; and the Government was bound to examine closely what was the position of the various classes of ratepayers, of owners of property, of farmers, of occupiers of houses, of ground landlords, and others; and, looking into their cases, especially to ascertain what their real grievances were, and not to allow themselves to be carried away by the arguments of the hon. Baronet, who argued that the burdens on land were intolerable, and in support of his proposition quoted the vast amount of rates with which land had nothing to do, but which were imposed on the occupiers of houses. He did not wish at that hour of the evening to follow the hon. Baronet through all his interesting details; but while he congratulated him on all that he had said, he congratulated him still more on what he had left unsaid. The hon. Baronet had given certain years as examples; but he had omitted all reference to other years equally in point, and which would have shown a very different result. The hon. Baronet spoke of the local taxation of the country as amounting to £30,000,000, and quoted him (Mr. Goschen) as the authority for that statement; but what he said was that the local expenditure for local purposes was £30,000,000, and of that sum £16,500,000 or £17,000,000 only was raised by rates, the remainder being raised by such as fees, dues, tolls, and from various other sources. He should, therefore, be sorry for the House to be under the impression that as regards rates the sum raised was £30,000,000. That would be a totally delusive notion. The hon. Baronet said that last year the amount of expenditure on poor relief had fallen, in consequence of the decrease in the price of corn. Certainly that was the case, because in the year before it had increased in consequence of the increase in the price of corn. With respect to the poor rates, he rejoiced to say that it seemed that the turning point had arrived, and, unless the House should take the dangerous step of supplementing the poor rates by a grant from the Consolidated Fund, there might be some hope of the poor rates being reduced. But he was quite sure that no step was more certain to increase our expenditure in poor relief than if they were to open the floodgates of the Consolidated Fund, for such a course would damage not only their Poor Laws, but also injuriously affect many other institutions of the country. [*A laugh.*] He did not know whether the hon. Gentleman was laughing at his argument; if so, he was sorry, because he was certain that greatest possible danger lurked in the administration of our Poor Laws. He had been rejoiced to hear that night from the hon. Baronet, and from two hon. Members opposite connected with agriculture, and most competent to speak on this question, that they were opposed to a large administration of out-door relief. It amounted to £3,500,000 out of the total of £7,500,000 expended in poor relief, and it was fully time that attention was called to the great increase that had taken place in it; but the House must remember that it was administered without any central authority, and that the Poor Law Board continually felt it to be their duty to repress that expenditure as far as lay in their power, though it was often a difficult task in the face of the opposition of Boards of Guardians. If, however, the House would support the Government in opposing the dangerous tendency to give out-door relief, he hoped that a serious reduction might be made in this expenditure. Surely that was a better course than that they should continue to look more and more to the Consolidated Fund, and increase the aggregate which was raised year after year by the tax collectors of the country. Several hon. Members had spoken of the odious character of tax collectors, and he perfectly concurred with those who said it would be infinitely easier to raise money locally than Imperially. He thought that the House would commit a grave political error were it to add to the amount of the sums annually voted by that House. Many countries had been in danger from the condition of their national finances, but none, to his knowledge, from that of their local finances. Before the Assessed Taxes Act passed, the rate-collectors of London used to find it necessary to take out 5,000 or 6,000 summonses against defaulters. That never created any public excitement; but if, instead of being the collectors of local rates, they had been the collectors of Imperial taxes, it might have been a source of political danger. The proper way of dealing with this question was to determine what were local charges, and, if it appeared that the present mode of raising local taxation was unfair then to see that it was remedied. There was, however, no logic in saying that because the present system of raising money might be inequitable, therefore the local expenditure should be made a national charge. Considering that the Government contemplated introducing a Bill upon this subject, he was really fighting the question with his hands tied, for he surely could not be expected to anticipate the introduction of that measure by fully explaining the views of the Government on the subject. But he was happy in being able to state that some of those who had addressed the House had warmly endorsed some of the provisions of the proposed Government measure, which actually embodied the suggestions they had made. The hon. Baronet, in placing an analysis of local taxation before the House, first raised the £16,000,000 to £20,000,000, and having done that he divided it into two parts, one of £12,000,000 for Imperial purposes, and the other of £8,000,000 for local requirements, and he took the years 1776 and 1839, and compared them with the year 1869. But, why did he do so?

SIR MASSEY LOPES said, he took 1776 because it was the only year which afforded trustworthy statistics at that period.

MR. GOSCHEN remarked that the hon. Baronet had not stated why he had chosen the year 1839.

SIR MASSEY LOPES said, because he thought it would best elucidate his argument by taking 30 years and then 10 years, showing the increase in 30 years and also the increase in 10 years.

MR. GOSCHEN said, no doubt it was a very convenient way of dealing with the subject by decades, because a few years forward or backward would make the results perfectly different. But if the hon. Baronet had taken the year 1829, or, still better, 1819, what a beautiful year it would have been; and if he had taken 50, 40, 30, or 20 years, he would have found many years when the poor rates were as high as now, and when they were borne by property not worth half its present value. And he would further have found that land had, in the progress of time, been gradually relieved from rates which would have staggered the House by their magnitude; and that, in fact, landed property at the earlier period of the century was infinitely more heavily burdened than now; and if he had pursued his inquiry a little further he would have discovered whether it was in the agricultural or in the urban counties that the greatest increase in rates had taken place. The hon. Baronet had referred to Militia storehouses and registration of births and deaths.

Sir MASSEY LOPES said, there were 100 Militia storehouses in his own county (Devonshire).

Mr. GOSCHEN said, he would come presently to the case of Devonshire, and a very interesting county it was. He was about, when he was interrupted, to refer to these small additions to the county rate, in comparison with the concessions which the landed proprietors in counties received from Sir Robert Peel in 1846, in anticipation of losses which they never sustained; and, as the hon. Baronet had placed those items before the House, he (Mr. Goschen) would place before it other items. It was true, as had been stated by him, that, compared with some years, there had been an increase of £8,000,000 in the rates up to that time. There were years when they were £10,000,000 and even £12,000,000, but he would take them at a time when they were £8,000,000, when the local rates were not so numerous, and to a considerable extent of a different character. There was the old historical poor rate which was a great blot upon the country. There was the sewers rate, dating so far back as Henry VIII., and there was the county rate, of which the hon. Baronet so much complained; but side by side with these there had grown up rates of which no notice had been taken that night, borough rates, local improvement rates, and sanitary rates in towns. The first dated from 1836, but did not come into force to any extent till 1841. Then in 1848 and 1858 the Public Health Act and Local Government Acts were passed, under which various sums were raised in boroughs and towns, and it was a remarkable fact that, of the £8,000,000 increase referred to by the hon. Baronet, £5,000,000 were due to town rates, raised in the small towns as well as in the large and improving cities of the Empire. ["Hear, hear!"] He was delighted to find they were agreed on those points, because he was not opposed to the House dealing with local taxation. In fact, the Government were prepared to deal with it, and there was a Bill ready upon the subject to be introduced directly the business of the House would allow it to be done. It was necessary, however, that the House should thoroughly understand where the shoe pinched. It would not do to lump all the rates together, and exclaim against their increase all over the country. Let the House ascertain what it was that caused an increase of rates, and supply a remedy where the grievance was the greatest. Let all interests be fairly considered; but let them discriminate between them, and see where the greatest grievance lay. The increase of £5,000,000 had occurred in the towns, but when the hon. Baronet spoke of charging some of the expenditure for local purposes upon the Consolidated Fund, he spoke of taxes connected with the county rate which fell upon the owner of land. ["No, no!"] The hon. Baronet continually used the words "owner of land."

Sir MASSEY LOPES said, he used the words "real property" when speaking of land, and he never intended to draw any distinction between houses and land.

Mr. GOSCHEN said, the hon. Baronet was perfectly right not to draw any distinction between houses and land; if he had done so he would have found his argument soon fail him. If the taxation upon real property were divided into two portions it would be found that the rates had increased infinitely more upon houses than upon land. ["Hear, hear!"] He rejoiced that where he expected difference of opinion he had found unanimity. He was glad to find it admitted that the case of houses was infinitely stronger than the case of land. That was a point which he would beg hon. Members to bear in mind. He had still £3,000,000 more of increased taxation to account for. Was that to be traced to increased burdens on the owners of land? In towns these rates were generally paid by the occupiers, and when the hon. Baronet said the interests of the occupier and the owner were identical, he (Mr. Goschen) should like to know the views of the London ratepayers on that point. In the case of land, it would make comparatively little difference whether the owner or the occupier paid the duty in the long run. He said "in the long run" and not "in the short run," because there was most certainly a time when it would make a great difference to the farmers whether they had to pay in the first instance or not. And the hon. Member had, indeed, been delightfully candid upon the point. He said—"If you separate the farmers from the owners of land we shall not be able to oppose you as we do now." Now, he had to account for £8,000,000. Of this amount, £5,000,000 were due to the borough rates and improvements in towns, £2,000,000 of which were due to the metropolis alone. The next item was an increase of £2,000,000 in the poor rate; but had that rise fallen upon the houses or upon land? Out of that £2,000,000, £1,600,000 was due to 150 urban Unions, and the balance only of £400,000 was due to the 500 rural Unions in the country. The lion's share, therefore, evidently fell upon the unfortunate towns. No doubt these towns had, as regards general rates, their improvements by way of compensation, and the greater portion of these rates had been deliberately incurred; but this circumstance did not affect the fact that they bore the burden. He had thus accounted for £7,000,000 out of the £8,000,000, and had £1,000,000 still left to account for. Of that £1,000,000, £500,000 was due to the rural police. And he would now ask whether hon. Gentlemen opposite agreed with the hon. Baronet who had brought forward this Motion, in believing that it would be better if the direction of the police were taken out of the hands of the local authorities? There might be arguments in favour of such a change; but he believed that, if deliberately proposed, it would not receive the sanction of Parliament. He believed three-fourths of the hon. Gentlemen opposite would vote against relieving the counties and municipalities from the responsibility at present resting upon them. Moreover, did hon. Members think that if this were done the county magistrates would occupy their present position? What, too, would become of the quarter sessions? And though the hon. Member for South Norfolk (Mr. C. S. Read) had spoken in no very handsome terms of quarter sessions, still they were a part of our local administration, and would have to be reviewed when our system of local administration came to be reviewed. Well, there remained now but £500,000 to account for, and this was due to the same class of modern rates to which he had before alluded. He could easily run through the several items that produced it; but he did not wish to weary the House upon that point. He would only adduce, for the sake of example, the Burial Boards as one of the items of urban expenditure accounting for this £500,000. He hoped he had now shown the House that there was nothing vague in this increase of rates, but that it could be traced to certain definite causes chiefly connected with the large towns. Now, according to the Returns moved for by a right hon. Gentleman opposite (Mr. Hunt), it appeared that the average rate in England and Wales was 3*s.* 4*d.* If they divided the country into urban and rural districts—if they took the 150 urban Unions, and the 500 rural Unions, they would find this result—The average rate of the towns was 4*s.*, whereas the average rate of the rural districts was only 2*s.* 9¼*d.*, showing that the former exceeded the latter by no less a sum than 1*s.* 2¾*d.*, or 44 per cent. These were facts that could not be denied. He would state another fact. There was an increase in the number of paupers, which was due, no doubt, to the towns and not to the country, in great measure because the law of settlement had increased the number of paupers in towns as compared with that of the country. The legislation of this class had been fair and just, but still the fact remained. Now, they had been told that evening something about the effect of Imperial taxation upon real property. That was also a matter upon which Government had made inquiry, and the results were remarkable in many ways. The hon. Baronet asked that they should make each class of property contribute equitably towards national burdens, but equitably did not mean equally. He thought that if the hon. Baronet would look to foreign countries, or examine the history of his own, he would find that at no time had it been held that the taxes upon land were the same as upon other kinds of property. Many countries of Europe derived their chief taxation from the land, and it was thereby burdened with a weight of taxation quite unknown in this country. Now, putting land and houses together, what did they contribute towards the Imperial taxation of the country? In England they contributed 10½ per cent; in France, 29 per cent; in Prussia, 15 per cent; Holland, 22 per cent; Belgium, 37 per cent; Austria, 26 per cent; and Hungary, 38 per cent. He did not wish to push this argument beyond its legitimate conclusion, nor did he desire to overstate his case, for what the Government were anxious to do was to inform the House of the incidence of Imperial and local taxation. Neither did he wish to argue in a controversial manner, and if he had been betrayed into doing so he was exceedingly sorry. What he intended to do was simply to show how the land lay; and the general conclusion at which he had arrived was that the land of this country, as regarded Imperial taxation, lay in an exceedingly comfortable state. He wished next to ask the House how much did they think that land, exclusive of houses, paid towards Imperial taxation in the United Kingdom, as regarded both amount and percentage? With respect to amount, land by itself paid only £3,000,000 out of the £65,000,000 of taxation, and the percentage was 5½. [An hon. MEMBER: Land and buildings?] Those figures applied to land as separated from houses, and were taken from the schedules of the income-tax. They should be submitted to the House in order that they might receive all the investigation of which they were capable, for the Government had been anxious to exhaust this subject as far as possible, and they had tried to do so in a conscientious manner. He would now state the percentages paid by land only towards the total amount raised by Imperial taxation. The amount paid by land alone in England was 5½ per cent; in Holland land alone paid 9 per cent; in Austria, 17½ per cent; in France, 18½ per cent; in Belgium, 20½ per cent; and in Hungary, 32½ per cent. What did these facts prove? They proved that, as regarded Imperial taxation, land in this country was in an infinitely better position than land in any other European State. In every other country the Imperial burdens upon land were greater than in England, and the figures contained in the Report which he would present to the House would show that, putting together both Imperial and local taxation, the rate in England would not exceed by more than 2 per cent the amount paid in France and other European countries. There was thus a slight increase if land and houses were put together; but taking the case of land alone the advantage was very much in favour of England. He could also give the House the rate in the pound which represented the burden on land for Imperial purposes in this country and elsewhere respectively, and at the same time he would place before the House the rate in the pound of the burdens on land at various dates in the present century. In 1826 the rate on real property for Imperial and local taxation was 4*s.* 4*d.* in the pound; in 1843 it was 3*s.* 7*d.*; in 1851, 3*s.* 4*d.*; in 1862, 3*s.* 6*d.*; in 1869, 3*s.* 3*d.*; and in 1870, 3*s.* 2*d.* The aggregate rate in the pound on real property had been decreasing since 1826. The conclusion which was forced on him by these figures was that great care must be taken to ascertain the actual facts most accurately before legislating. These were doubtless questions which required to be dealt with, and the House ought not to shrink from facing them, for there was much that was amiss and ought to be put right. The House, however, ought not to commit the error of running away with the idea that the sum and substance of this matter was that the burdens placed upon land in the way of taxation were excessive. It was an open question as to what views hon. Members might hold on the subject, whether the land ought to pay an equal proportion to other property or a greater; but, as a matter of fact, comparing land in this country with land in other European States, the case, as regarded England, was not at all desperate, while the price which land would fetch in this country was a proof that the burden was not quite so intolerable as some hon. Members opposite might lead the House to suppose. The hon. Baronet had spoken of Devonshire, and the case might be illustrated by that county, which was a simple agricultural one. The average rate in that county was 4*s.* 8*d.* in 1803, in 1815 it was 3*s.*, and in 1826 it was 3*s.* 2½*d.*, and those sums included the poor rate, the county rate, the church rate, and the highway rate. The figure for Devonshire at the present time for all rates was 3*s.* 3*d.*; therefore that county now stood almost exactly in the same position as in 1826. The hon. Baronet had spoken of the sums he paid, and contended that there had been a fictitious rise in the rateable value. But what were the actual amounts expended? In 1815 the expenditure in Devonshire was £285,000; in 1868, including all the rates, it was £332,000, an increase which ought not to frighten the hon. Baronet. He found this remarkable fact in going through the counties of England, that wherever there was a large town in a county the rate in that town was higher than the rate of the county itself. He had not heard either of the hon. Members for Plymouth address the House, but how did the case of that town stand? The average rate of Devonshire was 3*s.* 3*d.*, while the rate in Plymouth was 8*s.* 10*d.*, in Stoke Damerel it was 6*s.* 4¾*d.*, and in Stonehouse it was 5*s.* What, then, was the remedy proposed? The hon. Baronet practically suggested that Plymouth should remain almost in her present position, but that to all the rural Unions in which the rates were seriously increased grants should be made out of the Consolidated Fund. His argument as to the many purposes dealt with by means of the county rate practically led him to that. That was surely not the way in which to approach the subject; for it would shake the foundations of the whole local administration of this country. The hon. Baronet would not be supported by his party in the remedies which he proposed. They might vote for an inquiry, or for a Committee; or they might say that the Government ought to pay certain indefinite charges; but he was sure those who sat on the front Opposition Bench would resist, as the Government resisted, any general onslaught on the Consolidated Fund, by which means an injustice would be created in attempting to remedy a grievance. If such charges were to be put on the Consolidated Fund, what was to be the position of Scotland and Ireland? There were no able-bodied poor, to speak of, in Ireland, and relief was not given to able-bodied persons in Scotland; therefore, it would be unjust to those countries to make any such contribution from the Consolidated Fund, and any attempt to meet this grievance, by simply granting a certain proportion of aid as compared with the expenditure, would really do much injustice. There were, however, other considerations that he should like to point out to the House as regarded the poor rate. In many counties pauperism was actually hereditary, and throughout the whole of this century those counties had been amongst the highest rated on account of the administration of the Poor Law. One of these counties was Sussex, in which the rate at one time was 8*s.* 7½*d.* in the pound. In many counties wages were low and the poor rates were high, while in others wages were higher and the poor rates were lower. Were those counties in which wages were high to contribute towards the Consolidated Fund, in order that there might be a reduction of the poor rates in those counties where wages were low? He did not wish to place before the House the list of peccant counties in this respect; but, singularly enough, they were, with only one exception, all situated in the South of England. If a line were drawn across the country from East to West, from Monmouth to the Wash, there would be found below it all but one of those counties in which the rates were above the average, while many northern counties were distinguished by the lightness of their pauperism. Once more he wished to call the attention of the House to the difference between the rates for pauperism and the charges for town improvements. It was rather a disgrace to a county to have the poor rate very high, for that state of things was often due to social causes or to faulty administration; but, on the other hand, high rates for improvements were frequently much to the credit of a borough. The House must distinguish between those rates which were hereditary burdens on account of Poor Law administration and those rates which were adopted to make sanitary or other improvements. As regards the hereditary burdens, the hon. Baronet had said they almost became a rent-charge on the owners of land, but they had been so from the beginning of the century. Most of the great estates in this country had been bequeathed and inherited, or bought and sold, subject to those identical rates which, according to the statistics of Mr. Dudley Baxter, had so greatly increased the burden on property. Was that burden to be transferred from the land on which it had long been a rent-charge and added to the general taxation of the country, which was already high enough? If all the charges which had been mentioned were imposed upon the Consolidated Fund, how was the money to be raised? It might be answered by means of the income tax. Now, what did Mr. John Stuart Mill, one of the greatest political economists of the day, say in reference to taxing the increase of rental?—

"In most countries of Europe the right to taxation, as exigency might require, an indefinite portion of the rent of land has never been allowed to slumber. In several parts of the Continent the land tax forms a large proportion of the public revenues, and has always been confessedly liable to be raised or lowered without reference to other taxes. In England the land tax has not varied since the early part of the last century."

He also said—

> "The same remarks obviously apply to those local taxes of the peculiar pressure of which on landed property so much has been said by the remnant of the Protectionists. As much of these burdens as is of old standing ought to be regarded as a prescriptive deduction or reservation, for public purposes, of a portion of the rent. And any recent additions have either been incurred for the benefit of the owners of landed property, or occasioned by their fault, in neither case giving them any just ground of complaint."

Was it, then, to be held that the House should remove what the hon. Baronet called the old burdens? Was it right to decide by a Rule of Three sum how much of these burdens should be transferred from what had been called a rent-charge on the land? He hoped these considerations would guide the House in determining the proper course of legislation on this subject. The Government had been asked for information. Well, he had already attempted to give some information; but the House should have in print, and in a more perfect form than he could present them in the course of a speech, delivered at a late hour of the evening, all the details with regard to the incidence of Imperial and local taxation. The House should not be called upon to vote on the Bill which the Government intended to introduce before it was in full possession of all the facts of the case. Before he sat down he must repeat the question he put to the House at the commencement of his remarks—"What are you desirous of doing?" Was it necessary to go on inquiring, or should the Government lay on the Table a Bill providing what they believed to be the best means of remedying those grievances which were acknowledged to exist? The Government had an immense work to perform, and he trusted they would receive the co-operation of the House. He hoped hon. Members would not vote for the Resolution proposed by the hon. Baronet, as such a vote would amount to the expression of an opinion that the Government ought not to act without further inquiry. If, on the contrary, they voted for the Previous Question they would be supporting the Government in its view that the matter was quite ripe for settlement. The right hon. Gentleman concluded by moving the Previous Question.

Sir JOHN PAKINGTON said, he had waited with some anxiety to learn in what manner Her Majesty's Government intended to meet the Motion which had been brought forward in so comprehensive and able a manner by his hon. Friend the Member for South Devon (Sir Massey Lopes). After listening to the long speech of the right hon. Gentleman who had just sat down, he confessed he was in nearly as much difficulty with regard to the intention of the Government as he had been before the right hon. Gentleman spoke. In some respects this had been a really remarkable debate. Many speeches had been delivered, all of them, with a single exception, in support of the Motion. The exception was the brief speech of the hon. Member for Macclesfield (Mr. Chadwick), who said one thing only—namely, that he did not like the statistics of Mr. Dudley Baxter. Next came the speech of the President of the Poor Law Board. When the right hon. Gentleman commenced his speech, he thought his hon. Friend the Member for South Devon had achieved a great triumph, that he had gained his object, and that the Government were going to support his views and his proposal. The right hon. Gentleman began by declaring that he was a rival of the hon. Baronet, but, inconsistently enough, concluded by saying that if the proposal were carried out, a severe blow would be struck at the whole local administration of England. The right hon. Gentleman stated that he had already made inquiry into the subject, and that on an early day he intended to bring forward a Bill embodying the results of his inquiries. Now, if the right hon. Gentleman had gone a little further, he (Sir John Pakington) should have felt disposed to counsel his hon. Friend the Member for South Devon to rest content with what seemed to be a great triumph. But the right hon. Gentleman proceeded to speak in a very different strain, dwelling at great length on the Poor Law, which, though doubtless important, formed a part only of this subject. He was very sorry to find that the right hon. Gentleman went on to revive the old bygone differences between town and country, which he (Sir John Pakington) had hoped had been buried for ever. In the whole course of his speech, however, the right hon. Gentleman had given no distinct answer to the one simple proposition involved in the Resolution—namely—

> "That inasmuch as many of the existing and contemplated charges on the Local Rates are for National purposes, and that it is neither just nor politic that such charges should be levied exclusively from one description of property."

The Government ought to express a distinct opinion on that point. From the speech just delivered he could not extract any disavowal or disapprobation of this proposition by the right hon. Gentleman. The real question at issue was whether it was just and fair that £17,000,000 or £20,000,000 should be levied exclusively on one class of property. As his hon. Friend the Member for Northumberland (Mr. Liddell) had remarked, this question had taken a fast hold on the public mind. It was not a party question, and he might remind the House that on that very evening he had presented a Petition in favour of the Motion from the quarter sessions of the county of Worcester, the adoption of which Petition had been moved by a Conservative and seconded by a Whig. This question could not be lightly disposed of, for there was in the country a deep sense of injustice based on the feeling that taxation was unfairly and unequally distributed. The statement of the hon. Baronet the Member for South Devon was that the income of England was from £650,000,000 to £700,000,000 per annum, and that the greater amount of local taxation fell upon £100,000,000 only. Were the Government disposed to dispute that proposition? The right hon. Gentleman (Mr. Goschen) shook his head; but why did he not deny the proposition? [Mr. GOSCHEN: I did.] He did not disprove it. He (Sir John Pakington) was now dealing with round sums, and not going into small fractions; but he believed that, if accurately stated, the amount was £118,000,000. He did not know whether that was what the right hon. Gentleman relied upon. But while the income tax was derived from £300,000,000, the immense amount of local taxation was derived from about £100,000,000. [Mr. GOSCHEN explained that he said that a great portion of local taxation was not upon real property at all, but was paid by the occupiers.] He was sure the hon. Baronet would not be diverted from the object he had in view by such an equivocation. He did not mean to use the phrase offensively. Of course, burdens did fall in part upon the owner and in part upon the occupier, but he believed they fell much more largely upon the owner. There was, however, no real distinction in interest between the owner and the occupier. The ground of complaint was this—that this mass of taxation did fall upon one particular class of property, which was known by the name of real property. The hon. Baronet rather understated his own case than overstated it in regard to the repayments by the Government for the police, and also for the maintenance of prisoners, for the Government did not maintain prisoners who were awaiting trial. What made it urgent that the question should be approached with a view to a settlement was that this local taxation was rapidly increasing, and that additional burdens were being imposed year by year. Lately all over England the maintenance of the turnpike roads had been thrown upon the ratepayers. In the county with which he was connected he did not exaggerate the amount of that tax when he stated that it would add some 5*d.* or 6*d.* in the pound to the local burdens already borne. The education measure of the Government of last year, to which he did not object, would be another addition to local burdens. But was the education of the people one of mere local advantage? No; it affected the whole welfare of the country, and was a burden which ought to be borne by the whole of the country. Again, the Secretary of State for War was going to propose that the ratepayers should, in the first instance, bear extra expenses in regard to the Militia; but when the amount would be repaid it was impossible to say. What was the practical result of this state of things? Why, a feeling of great dissatisfaction, which was increasing throughout the country. The point raised by the hon. Baronet was that this system of local taxation constituted a great burden on the poor. The poor were suffering from these burdens. The increasing amount paid from year to year by the landed interest practically exercised a prejudicial effect on improvements in agriculture, and prevented those investments of capital which would otherwise take place. He would remind the House that the increase in the value of land during the last 30 years had not been in proportion to the increase of the burdens thrown upon it, for the county rates had increased from £850,000 to from £2,500,000 to £3,000,000. If the right hon. Gentleman at the head of the Poor Law Board could show that real property was bearing less than its fair share of taxation, he for one would be willing to reduce the balance. He should be glad of a decision by the House as to whether they did or did not recognize the principle involved in the Motion—which he trusted the hon. Baronet would press to a Division.

Mr. RATHBONE said, he rose to protest against a dangerous fallacy evidently entertained by present, past, and future Chancellors of the Exchequer. The right hon. Gentleman (Mr. Goschen) had said that he had known many countries in danger from increasing Imperial taxation, but he had never known any country in danger from increasing local taxation. But could any country have been in greater danger, both physical and pecuniary, than this country was previous to the passing of the new Poor Law? Were we not then in danger of seeing the whole income of the land swallowed up by the increase and mismanagement of local taxation? And was there not, even now, a great danger from the increase and mismanagement of our local taxation? On the other side of the Atlantic the same danger was to be found. Twenty years ago, in New York, the taxation was dangerous, being equal to five-eighths per cent, not of the income, but of the capital of the city; and not only the real property, but every kind of capital subject to income and property tax; and that taxation had now risen to 2⅝ per cent on the capital. It was not necessary that we should have recourse to the Consolidated Fund, in order to meet the inequalities which existed in taxation. It would be possible for any able financier to find a way in which all property in this country might fairly bear its share of the burden. Indeed, he would go further and say that if it were judiciously managed not by taking a certain proportion of every expenditure, however profuse, but by taking definite sums contingent on good management, an arrangement might be made which would relieve the present burdens, and at the same time lessen the wasteful expenditure which was now going on. He hoped, from one part of the speech of his right hon. Friend, that he was about to give them such a measure as would practically remedy the inequalities which had been pointed out in our local taxation. He hoped he was not wrong in interpreting his speech; and he was sure no one would have more reason to rejoice than his hon. Friend the Member for South Devon (Sir Massey Lopes), who had done so much to bring about this reform.

Mr. G. BENTINCK: I should not trouble the House with any remarks on this question, but having been in direct communication with my own constituents more recently perhaps than any other hon. Member in this House, I feel it my duty not to let the question pass without making one or two observations upon it. There was one remark which fell from the right hon. Member for Droitwich (Sir John Pakington) which bears on the view I take of the question. He deprecated any further allusion to the comparative interests of town and country. Now, I am not surprised at that, and probably his view on that point arose from some slight twinge of conscience called up by a recollection of what passed on that (the Ministerial) Bench at the end of the year 1852. But if he imagines that the proceedings of the Government then in power—and which was more especially supposed to protect the interests of the rural districts, are now forgotten, all I can say is that he is very much mistaken. I have to congratulate the right hon. Gentleman the President of the Poor Law Board on his very remarkable announcement as to the extraordinary amount of renovated energy exhibited by the Government on this occasion. He has said that the Government prefer to act rather than to speak, and to trust to their own measures rather than to the action of a Committee. I confess that when I heard those words I was astounded. It seems so marvellous a change to be brought about in the minds of so many distinguished men in the short space of 24 hours, that it is one of the most remarkable facts in the history of Parliament. I will not follow my hon. Friend the Member for South Devon (Sir Massey Lopes) through any of the figures of his most admirable speech; but I may say that during the time I was down in my own county this question was almost the only subject I heard discussed there. The minds of all men seemed to be drawn almost exclusively to this subject; but they always asked one question. They are aware of the existence of the evil; but as sensible men they want to trace out the cause, and they ask—"How comes it that year after year there has been an additional pressure of taxation on the rural districts of the country?" That fact is indisputable, and it is also indisputable that those districts are under-represented in Parliament, and that, I suppose, is an obvious reason for their being over-taxed. But these agricultural gentlemen go still further, and they say—"Not only are we deserted by both Government and Opposition when any measure is brought forward affecting our interests, but we never see the phalanx of Members representing the rural districts banded together to fight our battle. We read that they go out into the Lobbies, as Liberals or Conservatives, if anybody is able to explain the meaning of those terms; but we never read of their advocating the interests of the rural districts." When I heard this my mind reverted to many Friends in this House, for whom I have the greatest possible regard; but I confess with pain that I could not say much in their defence, and I can only express the hope that for the future, instead of following the Whips on either side into the Lobby, without having any intelligible principle or policy to guide them, they will be found advocating the interests of those who sent them to this House. I believe that if the intelligence were to reach the rural districts to-morrow that from some unforeseen cause the present Government had been removed from Office, and by no human possibility could ever return to it again, and that, on the other hand, there was some insuperable objection to their places being taken by hon. and right hon. Gentlemen on this side of the House above the Gangway, I really believe that information would be received with satisfaction. In this discordant state of things it becomes more incumbent on the representatives of the rural districts to stick together and fight the battle of their constituents. What is the result of those unfortunate combats which take place for the retention or obtaining of that (the Ministerial) Bench? I will not go so far as to say that there is no confidence left in either party; but the result of recent legislation has been to place the real government in the hands of Gentlemen opposite sitting below the Gangway. They are the real Government of the country. I see the hon. Member for Brighton (Mr. White) shakes his head in denial; but in spite of his extreme modesty—being one of the most prominent and eminent and able Members in that quarter of the House—I submit to him that he holds a very high position indeed. Now, has any measure been brought forward for many years past emanating from that quarter of the House which has not been carried? And how have they been carried? They have been extracted with some little difficulty, though not a great deal, from the right hon. Gentleman at the head of the Government, and when the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) was in Office, they were got from him without any trouble at all. Knowing, then, the seat of power in this House, I was glad to hear that the hon. Member for Brighton agreed with me on one or two points in reference to this question. He said pauperism was increased by improper incidence of taxation. I agree in that, and I believe that a complete revision of our system of taxation would tend to decrease pauperism. The right hon. Gentleman at the head of the Poor Law Board seems to have had a preconceived idea that we could not deal with this subject without touching the Consolidated Fund. I do not think there is any occasion for that; and when the proper time comes I shall be able to show the right hon. Gentleman many descriptions of property which at present pay no taxes. A comparison of the cost of the transfer of money and of land from one hand to another will suggest an inquiry as to why the percentage is so much higher in the one case than in the other, and will show that we can easily find an immense amount of untaxed property in this country, and a means of reducing the taxation on every other description of property.

MR. GLADSTONE: I am afraid, Sir, that I am not able to sustain the lofty flight of the hon. Gentleman who has just sat down in the very entertaining speech he has just delivered. And after the able argument of my right hon. Friend near me (Mr. Goschen) I do not intend to enter into the subject of the Motion of the hon. Baronet opposite (Sir Massey Lopes); but I wish to explain, in a very few words, and as exactly as I can, the reason for the course which the Government has taken with regard to it. My right hon. Friend stated, in one portion of his speech, that he felt himself to be a competitor of the hon. Baronet; and he has been taken to task for that expression, and charged with inconsistency for using such language and yet not acceding to the Motion. But my right hon. Friend is a competitor of the hon. Baronet in respect to the objects which he has in view. He dissents and differs from him in respect to the Motion that he proposes, and the means of attaining them, and there is a perfect consistency between these two propositions. Let us look at the Motion as it is actually framed, for it is very important. It contains the following series of propositions:—

> "That, inasmuch as many of the existing and contemplated charges on the Local Rates are for National purposes, and that it is neither just nor politic that such charges should be levied exclusively from one description of property (viz. houses and land), this House is of opinion that it is the duty of the Government to inquire forthwith into the incidence of Imperial as well as Local Taxation, and take such steps as shall ensure that every description of property shall equitablyco ntribute to all National burdens."

The last of those propositions is entirely true. It is our duty to "take such steps as shall ensure that every description of property shall equitably contribute to all National burdens" as far as our human infirmity and incapacity will admit. But although that is true, it is a truism, and does not contain any of the salt or pith of the hon. Baronet's Motion, and I think the hon. Baronet would be little anxious to procure the acceptance of that truism by the House and to abandon the rest of his Resolution. It is impossible for us to accede to the other propositions it embraces, and for these simple reasons—They are propositions of an abstract nature, which it would be useless and inconvenient for the House to affirm, because they might form the subject of dispute, even although we might be agreed as to the practical mode of dealing with the matter to which they relate. Why are we to be called on to assert that many of the existing charges on the local rates are for national purposes? That raises a very large subject of debate, on which we might employ ourselves very unprofitably for a great length of time. The hon. Baronet, ably as he has argued it, has failed to make out his case; but, at the same time, why is it necessary for us to be entangled in discussions upon such propositions, when it may be that we are agreed on the practical mode of dealing with the question? Then the hon. Baronet says that these rates are levied exclusively from one description of property; and, with very scant courtesy, the right hon. Baronet the Member for Droitwich (Sir John Pakington) treated as an equivocation the mode of referring to that point adopted by my right hon. Friend—a licence of language, as I think, scarcely within the limits of courtesy. But whether it be equivocation in the opinion of the right hon. Gentleman I know not, and—it may be owing to our inferior intelligence on this side of the House—I must own it appears to me that the proposition of my right hon. Friend is a broad and substantive one, and I should be prepared, with my very unequal means, to enter at the proper time into controversy upon it with the right hon Gentleman. I deny that, for the purpose of this argument, houses and land are one description of property. And why? Because of the division of the rate between the owner and the occupier. When you are dealing with land in the rural districts, that division is of very little consequence, because you may say, and truly say, that both the owner and the occupier belong to the same class, and have the same interest, and as a portion of the rate falls on the owner and another on the occupier, both portions are laid on the same description of property. But when you come into the towns, the division of the rate between the owner and the occupier has a very different effect, and the separation between houses and land is most marked. There it is ridiculous to speak of all occupiers, who belong to every class, who have every description of property, and who pay out of every description of property, although they may pay in respect of their houses, as being in the same category as the owners of land in reference to this question. It is not a matter of equivocation, but clear and undoubted fact, that the occupiers in town, so far as the rate falls upon them, as it mainly does, do not pay in respect of land or real property at all, and that circumstance wholly destroys the justice of the proposition that houses and land are to be regarded as one description of property. We cannot, therefore agree to commit ourselves to that assertion. But the hon. Baronet says it is not just that such charges should be so levied. Why commit us to that proposition? It depends upon another complicated investigation. Assuming it to be true, for the moment, that in the rural districts these taxes are levied from one description of property, before you venture to assert that it is not just that they should be so levied, you must investigate the question whether they receive a compensation in many remarkable or important remissions and exemptions in respect of Imperial taxation. I am not now asking the hon. Baronet to concur in our way of looking at these propositions; but why should he ask us to commit ourselves in the mass to these very disputable opinions, which, after all, do not practically determine the case, and must still leave it an open question for us to say in what manner we will approach this subject of local taxation, which we, as well as he, admit to be a question presenting grievances and anomalies requiring legislative remedy. Then he goes on to say that it is the duty of the Government to inquire forthwith into the incidence of Imperial, as well as local, taxation. I must own it was with some surprise that I found that the hon. Baronet concluded by making a Motion which has this for what I may call its main proposition, in the same speech in which he found fault with the Government for postponing, and by postponement evading practical proceedings in regard to local taxation. What is the position of the Government? We have endeavoured to avoid going to issue with the hon. Baronet, and, therefore, have been content with moving the Previous Question. But still we are at issue with the hon. Baronet, because it appears that he intends to divide the House; and the right hon. Member for Droitwich, rising from the front Bench opposite—as to which the hon. Member for West Norfolk (Mr. G. Bentinck) has given us some interesting information—says he cannot recommend the hon. Baronet to withdraw his Motion. How, then, do we stand? In the Speech from the Throne we announced that we had a measure prepared on the subject of local taxation. The hon. Member for West Norfolk very properly pointed to the measure as one upon which issue might be joined. If we can agree on that measure we can go forward to legislation; if we differ we shall at least know on what we differ; and it is our purpose to submit that measure to the House on the earliest day that the state of Public Business will permit, in conformity with our rule of introducing our measures on the earliest day that we can present them with a fair prospect of carrying them on to their ulterior stage. That is our case. And what is the case of the hon. Baronet? It is that it is our duty to inquire forthwith into the incidence of Imperial and of local taxation. His proposal, therefore, is not a progressive, but a retrograde one. He does not even point to a Committee of this House. He takes us back to the very threshold of the question. He will not allow us even to introduce the measure which we have announced in the Speech from the Throne. I do not say whether or not it is in accordance with Parliamentary usage so to treat the intention of the Government announced in that form; but the hon. Baronet, the friend of the rural interests and the enemy of the abuses of local taxation, thinks that it is the duty of the Government not to act, but to inquire. Under these circumstances we require very little apology for saying that we are more faithful to the spirit of the engagement into which we have entered than the hon. Baronet wishes us to be. We engaged to examine carefully into the question, and, as a Government, to make our proposals when they were ripe for presentation to the House. Those proposals are now ripe, and we desire to lay them before the House, and we cannot accept the great boon which the Baronet has offered us by receding from the position that we have attained, and by again proceeding from the beginning and entering upon an inquiry that would be perfectly vague and undefined—a matter that lies in the future, whereas our inquiries lie in the past, not the future, and we are now prepared to act.

Previous Question put, "That that Question be now put."—(*Mr. Goschen.*)

The House *divided*:—Ayes 195; Noes 241: Majority 46.

PARLIAMENT—BUSINESS OF THE HOUSE.

MR. GLADSTONE moved that the Select Committee on Business of the House consist of 21 Members.

Motion made, and Question proposed, "That the Select Committee on the Business of the House do consist of Twenty-one Members."—(*Mr. Gladstone.*)

MR. J. LOWTHER moved the adjournment of the debate on the ground of the lateness of the hour.

Mr. GLADSTONE hoped the House would proceed at once with the business of appointing the Committee.

Mr. G. BENTINCK observed that yesterday evening, while there was no Amendment on the Paper, the right hon. Gentleman stated he would not proceed with his Motion after 12 o'clock; but now, after Notice had been given of an Amendment to be proposed, he wished to go on with his proposal after that hour.

Motion made, and Question, "That the Debate be now adjourned,"—(*Mr. James Lowther,*)—put, and *negatived.*

Original Question put, and *agreed to.*

Mr. Disraeli and The Chancellor of the Exchequer, *agreed to.*

On Motion, "That Sir George Grey be one other Member of the said Committee,"

Mr. HORSMAN asked what was the principle on which the selection of the Committee proceeded? He had always understood that a Committee should be of a judicial character, and should be a fair representation of the various parties in the House. Of the 21 Members of the Committee, 13 either were now or had been in Office. As regarded the Conservative side, half the Members were chosen from below the Gangway; while on the Liberal side all the 11 Members sat behind the Treasury Bench, and not one below the Gangway. He protested that this was not a proper mode of dealing with the question.

Sir PATRICK O'BRIEN said, that Ireland was not properly represented. There was not a single Irish Member on the Committee.

Mr. J. LOWTHER said, he was taken by surprise by the right hon. Gentleman insisting on proceeding at that hour. Many hon. Members had left the House on the ground of the promise made by the right hon. Gentleman, in distinct language, as to what would be considered a reasonable hour. The Government had found occasion more than once to re-consider their determination, and he must insist that this was a matter which ought not now to be proceeded with.

Mr. WHITE pointed out that there was not the name of any metropolitan Member on the Committee.

Mr. MELLY protested against the attempt to draw a distinction between Members who sat above and those who sat below the Gangway. It was assumed that the former were supporters of the Government. That was not strictly correct. The reason why he did not sit below the Gangway was that there was no room there.

Mr. GLADSTONE hoped that the hon. Member (Mr. J. Lowther) would not persevere in his opposition. What he had said as to bringing on this business was that he would not bring it on at an inconvenient hour. In this instance the business was simply the selection of hon. Gentlemen to form a Select Committee—a very simple business. His right hon. Friend (Mr. Horsman) had been less than fair as respected the composition of the Committee, for the Government had endeavoured to do the best they could with the very limited choice at their disposal. The ancient practice of the House with respect to the representation of the majority and minority of the House was to select 11 Members from the majority and 10 from the minority; but it could not be expected that the proportion should be the same when there was so great a disproportion of Members on either side. Putting aside the official Members, practically the Government had the selection of nine names only, while the Opposition had their ten. If it was an objection to the selection of the Committee that there was no Member from Ireland upon it, the same objection applied to the omission of any Member from Scotland, or of the metropolis.

Mr. HORSMAN explained that when he spoke of the official element on the Committee he referred to Members who had been in office from 10 to 20 years, his contention being that the tendency of that element was to curtail the opportunities for debate.

Mr. J. LOWTHER said, he would withdraw his Motion.

Then Sir George Grey, *agreed to.*

Other Members of the Committee *agreed to.*

Committee *nominated:*—Mr. Disraeli, Mr. Chancellor of the Exchequer, Sir George Grey, Mr. Dodson, Colonel Wilson Patten, Mr. Bouverie, Mr. Hunt, Mr. Knatchbull-Hugessen, Mr. Newdegate, Mr. Dalglish, Sir Henry Selwin-Ibbetson, Mr. Cavendish Bentinck, Mr. Clay, Mr. Graves, Mr. Goldney, Mr. Charles Gilpin, Colonel Barttelot, Mr. Rathbone, Mr. Vance, Mr. Bowring, and Mr. Charles Forster:—Power to send for persons, papers, and records; Seven to be the quorum.

And, on March 1, Mr. Hunt *discharged,* Sir John Pakington *added;* March 3, Mr. Collins and Mr. White *added.*

LANDED PROPERTY (IRELAND) ACT (1847) AMENDMENT BILL.

On Motion of Mr. Serjeant SHERLOCK, Bill to amend an Act passed in the tenth year of Her Majesty, chapter thirty-two, being an Act to facilitate the improvement of Landed Property in Ireland, *ordered* to be brought in by Mr. Serjeant SHERLOCK, Mr. M'MAHON, and Mr. MAGUIRE.

Bill *presented,* and read the first time. [Bill 59.]

WORKSHOP REGULATION ACT (1867) AMENDMENT BILL.

On Motion of Sir DAVID SALOMONS, Bill for exempting Young Persons and Women of the Jewish Religion from penalties for working on Sundays, *ordered* to be brought in by Sir DAVID SALOMONS, Sir THOMAS BAZLEY, Mr. RUSSELL GURNEY, and Mr. JOHN TALBOT.

Bill *presented,* and read the first time. [Bill 58.]

FAIRS BILL.

On Motion of Viscount BURY, Bill further to amend the Law relating to Fairs in England and Wales, *ordered* to be brought in by Viscount BURY, Mr. EYKYN, and Mr. CLARE READ.

Bill *presented,* and read the first time. [Bill 60.]

House adjourned at a quarter before One o'clock.

HOUSE OF COMMONS,

Wednesday, 1st March, 1871.

MINUTES.]—SELECT COMMITTEE—Business of the House, Mr. Hunt *discharged,* Sir John Pakington *added.*

PUBLIC BILLS—*Second Reading*—Citation Amendment (Scotland) [1]; Burials [7]; Registration of Deeds, Wills, &c. (Middlesex) [36]; Private Chapels * [37].

Committee—Report—County Property * [29].

CITATION AMENDMENT (SCOTLAND) BILL—[BILL 1.]—SECOND READING.

(*Mr. Anderson, Mr. Gordon, Mr. Miller, Mr. Armitstead.*)

Order for Second Reading read.

MR. ANDERSON, in moving that the Bill be now read the second time, said, that its object was to remedy a grievance arising from the present mode of serving summonses in proceedings in civil actions in Scotland. By the Act of the Scottish Parliament of 1540, entitled "The order of summoning of all persons in civil actions," it was enacted that if the officer gave six knocks on the door of the party cited, and failed to obtain entrance, and then affixed the summons to the gate or door, that was a lawful and sufficient citation. The service was often executed by putting the summons into the keyhole — which was termed a "lock-hole citation" — obviously a mode by which many accidents rendered it very probable that the summons would never reach the person for whom it was intended: indeed, it had become a very common practice in such cases so to arrange matters that there should be somebody not far off at the time who would take the summons out of the keyhole soon after it was put there; so that there was, in reality, no service at all, and the party was sometimes arrested, or had his goods seized, before he knew anything at all of the matter. The Bill abolished this mode of citation, with one exception, which arose out of the necessity of the case. Where the summons or citation was a summons of removal from any house or premises, and the person to be cited could not be found, or refused admission to his place of dwelling, so that he could not be served, a copy of the summons might be affixed to some conspicuous part of the premises from which removal was sought, and an intimation of such affixing was to be sent to the defender's last known place of residence. The abuse of the process was chiefly experienced in respect of the citations issued by the Small Debts Courts. The decrees of these Small Debts Courts were final and without appeal; but, if the decree was given in the absence of the defender, the law provided a process of re-hearing. Unfortunately, however, the re-hearing depended upon such conditions as often rendered it practically impossible to the defender. In the Small Debts Courts of the justices of the peace, before the defender could get a re-hearing, he must consign the whole amount claimed by the pursuer — a thing which a poor man was frequently unable to do. A decree, therefore, even when given in absence, was almost always practically final. A great deal of injustice was thus often inflicted. The class which was affected by this process was a very numerous one, as was shown by the fact that in the Small Debts Courts of the city of Glasgow in one year there were about 40,000 small debt litigations. Another object of the Bill was to provide against the fraudulent concealment of persons in order to avoid citations in bankruptcy, or to allow a period of prescription to be completed. In that case the Court might order the summons to be advertized in one or more of the local newspapers, and an intimation thereof to be sent to the defender's last known place of address, which should constitute a legal and valid citation.

Motion made, and Question proposed, "That the Bill be now read the second time."—(*Mr. Anderson.*)

THE LORD ADVOCATE said, the measure dealt with a very technical legal matter; but as on the back of it there appeared the name not only of the last speaker, but that of the right hon. and learned Member for Glasgow University (Mr. Gordon), he presumed its provisions had received his consideration and approval as a lawyer. He would not therefore oppose its second reading, although he wished to guard himself against being supposed to admit the expediency or the necessity of its provisions. He was not aware of the existence of the great evils mentioned in the Preamble as attending citation. Several of the clauses appeared to him at present to be wholly unnecessary, while others, as they now stood, would require careful consideration in Committee.

MR. GORDON said, a document would be laid on the Table of the House in a few days which would show that certain recommendations, pointing in the direction taken by this Bill, had been made by a Commission with reference to keyhole citation—a practice which had given rise to great injustice, especially taken in connection with the rule of the Justices of the Peace Court, denying the defendant a re-hearing unless he consigned the very sum which might have been wrongfully charged against him. He was not very cognizant of the peculiar forms that prevailed in regard to those small matters of citation in the inferior Courts; but the details of the Bill could, if necessary, be adjusted in Committee; and he had no doubt whatever that its principle ought to be sanctioned by the House.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 28th March.

BURIALS BILL—[BILL 7.]

(*Mr. Osborne Morgan, Mr. Hadfield, Mr. M^cArthur.*)

SECOND READING.

Order for Second Reading read.

MR. OSBORNE MORGAN, in moving that the Bill be now read the second time, said, the House would recollect that last Session he introduced a Bill on this subject early in February. It came on for the second reading on the 23rd of March, and was carried, after a long discussion, by a large majority. A Motion was afterwards made by the right hon. Gentleman the Home Secretary for referring it to a Select Committee—a mode of proceeding to which he (Mr. Osborne Morgan) objected, thinking that if the Bill was once shunted to a Parliamentary siding, there would be great difficulty in getting back again on to the main line, so as to be able to pass it through the House that year. His opposition was, however, overborne, and the Bill was referred to a Select Committee. The Bill came back from the Committee on the 10th of May, and he was bound to confess that it came back a much better Bill than it went in. He had to thank hon. Members for the great pains they had taken in investigating the subject. The principal alterations made were due to a compromise which had been made. The compromise was far from one-sided; but it was not satisfactory to certain hon. Members. When the Bill was returned from the Committee it was re-committed; but, owing either to the greater interest of other subjects, or because this subject was in itself uninviting, its progress was rather remarkable; it was down on the Order Book 13 times; it was actually reached three times; the House divided on it five times; but with all that labour they only got through six lines and a half of the measure. One evening, though it was called on at the comparatively early hour of 11, an hon. Member, whose liveliness sometimes increased as the night advanced, was somehow seized with such an uncontrollable desire to go to bed that he moved to report Progress three or four different times, and considerable delay was the consequence. This treatment he protested against. Such tactics, though they might retard, could never ultimately prevent the passing of a just measure, neither did they redound greatly to the credit of those who resorted to them: he was glad, therefore, that this year the hon. and gallant Member for West Sussex (Colonel Barttelot), with a courage more in unison with his profession and antecedents, had come forward to meet the Bill with a direct negative, instead of seeking to get rid of it by the slow and ignoble process of the effluxion of time. A Member who introduced a measure of this kind was bound to do two things. First, he was bound to show that the state of the law which he sought to alter involved a grievance demanding a remedy; and secondly, that the legislation he proposed would remove it. By the common law of England, every parishioner, whatever his religious opinions might be, was entitled to interment in the parish churchyard. But then the canon law stepped in and prohibited the use of any religious service at such interment in three cases—namely, in the cases of suicides, those of excommunicated persons, and those of unbaptized persons, whether the omission of the rite of baptism had arisen from accident, as through the sudden death of an infant, or from the conscientious scruples of the parson himself, or of his friends, or from any other cause. If the rite of baptism had been performed, whether by a clergyman of the Established Church, by a Dissenting minister, or by a layman, or even by a woman, the clergyman of the parish was compelled to read over the body of the deceased—whatever might have been his antecedents, his mode of life, his religious opinions, or the wishes of his surviving friends—the burial service of the Church of England—a service which, eminently beautiful as it was, was in many cases altogether inapplicable and unsuitable. They might, for instance, have the anomaly of a clergyman devoting the soul of an heretical sinner to eternal punishment on the first day of the week, and on any seventh committing his body to the grave "in the sure and certain hope of a resurrection to eternal life." Again, a Dissenting minister was in no case allowed to officiate in a parish churchyard. So that if a Dissenter died in a rural parish the minister who had instructed him in life, soothed his dying moments, and, it might be, consoled his sorrowing relatives, was stopped at the churchyard and not allowed to enter, except in the capacity of a private mourner. One might have thought that every humane man, whatever his own religious opinions, would be only too anxious that poor people in those supremely trying circumstances should have the benefit of such religious consolation as really went home to their hearts, and not be expected to submit to a service which, however excellent in itself, became a hollow mockery when addressed to unwilling ears. The scenes to which that state of the law had led were disgraceful not only to any Christian, but to any civilized country. Last year he had referred to a number of instances in which scandals of that kind had occurred. When he moved the second reading of the Bill of last year he referred to a number of such cases, and more than a dozen had occurred since. He had referred for instance, to the case of the Rev. Mr. Henniker, who rather than read the service over the body of a Dissenter who had been baptized by a Dissenter, actually kept the body unburied for 14 days in the church. The rev. gentleman entirely set at nought his Bishop's expostulatory letter; and the body was at last buried, without his assent, by the curate, who, Mr. Henniker, having locked himself up in the church with the vestments, had to perform the service without his surplice. Many other cases of hardship and indignity were inflicted on Dissenters under the existing law, but few worse than the one in which a clergyman who, finding at the commencement of a funeral ceremony that one coffin contained the bodies of two infants, one of which had and the other had not been baptized, caused the coffin to be opened and the unbaptized child removed from it, and had it thrown like a dead dog into the grave, while he read the service over the body of the other. Last year, when he stated these cases, he gave the fullest particulars in order that his statements might be tested; but, though a perfect torrent of ecclesiastical invective had been poured out upon his head, no attempt had been made to disprove the narrative of facts he laid before the House. He would, upon this occasion, add only one case out of many. At Swilland, a small village near Ipswich, an old man, a Dissenter, of most exemplary life, died; his relatives proposed to bury his corpse in the parish churchyard; but the rector intimated that he considered himself bound in law—the deceased not having been baptized, not to admit the corpse into the church. Under these circumstances, the relatives engaged an eminent Nonconformist minister to perform the last rites to the deceased. This was thus done—the corpse was carried into the churchyard, followed by the family, while the services were performed by the minister standing with his congregation just outside the churchyard hedge. But it was against the law, not against the clergy, that he complained. In Ireland, where such a provision was not nearly so necessary as in England—indeed, before that law was introduced a clergyman in Ireland was at liberty, if he chose, to allow a Roman Catholic priest or a Dissenting minister to officiate in his parish churchyard—a law analogous to that which he wished to see enacted was in force. He wanted to see the law equalized in the whole of the three kingdoms. In Wales, particularly, the present law weighed with peculiar severity, because not only were the majority of the people Dissenters, but they lived in rural parishes, where they had not the advantage of cemeteries containing ground both consecrated and unconsecrated. In the Principality, therefore, this Bill was most urgently wanted. The Bill by which he proposed to remedy these evils was in many respects similar to the one of last year, the points of dissimilarity occurring in places where points had been conceded to the opponents of the measure introduced last Session. The first four sections of the Bill were nearly the same as those in the original Bill. The 1st section provided that any person or persons having the charge of or being responsible for the burial of a deceased person may give notice in writing, to the incumbent or officiating minister of the ecclesiastical district, of the intention that a burial shall take place in the churchyard without the rites of the Established Church, and either with or without any other religious service. Then it was provided that the time proposed for the burial must be stated in the notice, and to be subject to variation within a limited time; and the next section directed that, if no such variation took place, the burial should take place in accordance with the original notice. Then came that most important provision in the 4th clause—

> "That no person shall officiate at any such religious service who is not a minister or member of some religious body having a registered place for public worship."

That was new. Next, it was provided that all services were to be conducted decently and solemnly, and that all services were to be religious. The accustomed burial fees were reserved to the incumbent, so that no question could possibly arise as to the Bill depriving the incumbents of any pecuniary payment to which they were entitled. The 8th section merely referred to registration. From the 9th to the end the Bill was entirely new. The 9th section provided that graveyards, wholly or in part unconsecrated, might be provided in any parish by private benefaction, with the approval of the Secretary of State. The 12th section was the material one in the new Bill, and it contained the exceptions. It excepted from the operation of the Act these cases—First of all, cemeteries containing consecrated and unconsecrated ground, established or provided in any parish under any Acts for providing public cemeteries; secondly, any churchyard or graveyard in any parish or district for which such cemeteries had been provided; thirdly — and he thought this was a clause of very wide operation — any churchyard provided entirely by private benefaction within a period of 50 years before the passing of the Bill, and attached to a church erected in a parish or district formed within the same period, whenever the donor or donors, or their representatives, should signify in writing to the Secretary of State a desire that such churchyard should be exempted from the operation of the Act. The fourth exception applied to the churchyard of any parish in which a graveyard had been provided in the manner previously mentioned in the Bill; the fifth to the consecrated portion of any graveyard provided under this Act; and the sixth to any burial ground given after the passing of the Act for the express purpose of having burial service performed therein according to the rite of any religious community. Hon. Members would see at once that this was a very different Bill from that which was considered last year. He did not say that it was a perfect Bill; but he did think it was an honest attempt to settle a vexed question in a fair manner. He would now turn to the objections which had been made against the Bill. The first was the old argument about vested interests. He was told that he was interfering with the freehold of the pastor; that the fee simple of the church belonged to the pastor. People spoke of the churchyard as if it belonged to the pastor in the same sense in which his living, or his parsonage, or his bed belonged to him; as if it was a sort of thing over which he had a right of personal occupation, and which he had a right to enjoy by himself, and for himself, to the exclusion of every other person. The answer to that objection was obvious. It was true that, as the law required the fee simple to be vested in somebody, it was vested in the parson, certainly not for his own benefit, but as a trustee for his parishioners. That constituted the difference between parish churchyards—which were national property—and churchyards belonging to private chapels. That being a public trust, of course, the Legislature could deal with it as it liked. But, coupled with this dry legal estate, the clergyman possessed the barren—he had almost said the odious—privilege of asserting a right over a man's dead body, which he could not assert over his living soul. He did think that was a privilege which every right-minded man would be only too glad to be relieved from. The second argument against the Bill was raised by the right hon. Gentleman the Member for the University of Cambridge (Mr. S. Walpole), and he trusted that the alterations which had been made in the Bill would have removed some of his objections. His argument was this—that if the Bill, as it stood, passed into law, you would have not only ordinary Dissenters, but Spiritualists, Materialists, Secularists, Shakers, Jumpers, and Mormons—persons of all sects and kinds coming into the churchyard and desecrating it, without there being any power to deal with them. He (Mr. Osborne Morgan) did not think that was so. It was certainly not so as the Bill now stood, because the 6th section expressly provided that the service should be a religious service. But he thought he was entitled to put the question on a higher ground, to make a demand of hon. Members opposite. A similar law to this had been in operation in Ireland for a great many years. He had given a great many instances in which the present law had led in this country to scenes of the most discreditable kind. Let hon. Gentlemen opposite point out one instance in which their fears had been realized in Ireland, and then he would argue the point with them; but until they did that, he thought he had a right to say he would not enter into a mere hypothetical controversy, or combat shadows which were the creatures of their imagination. The third objection, which was most strongly pressed last year, was that, by this Bill, he was trying to get in the thin end of the wedge. He was told that, in attacking the churchyard, he was really attacking the Church; and that this Bill was nothing more nor less than a Bill for the disestablishment and disendowment of the English Church, under the thin cover of a measure to amend the burial laws. His hon. Friend the Member for South-west Lancashire (Mr. Cross) put this objection graphically and pathetically. He said —"Suppose this Bill were to pass, and suppose that a funeral were to take place under it, and suppose it were to rain, and suppose the people following in the procession took shelter in the doorway of the church. Then if the parson did not wish to be a churlish fellow, Dissenters would then be admitted into the church, and if they were once admitted, neither Queen, Lords, nor Commons would ever get them out again." Those were not the actual words of the hon. Member; but that was the substance of his argument. His answer was, that if Dissenters got into the church, they would not get there by the operation of this Bill. They would get there by the act of the parson, who would not be bound to admit them. No doubt there would be a great deal to be said on the question of the disestablishment and disendowment of the English Church when the time came; but, at present, that question was not before the House in any way—and there was nothing more unsatisfactory than to attempt to meet one question by raising another issue. In the meantime, let him tell hon. Members opposite, that he did not think they would make their citadel any stronger by defending an untenable outwork. Indeed, he believed the hon. Member for Bristol (Mr. Morley) was right when, in the admirable speech which he made at the beginning of the Session, he stated his belief that if the House passed the University Tests Bill, and gave the Dissenters a fair Burial Bill, it would remove the strongest grievances which Dissenters had against the Church of England. He would quote an observation which he heard only the other day, as having been made by a gentleman who was a staunch opponent of the Established Church. He was asked whether he approved of his Bill. He was good enough to say that he thought it a just one; but he added—"I hope it will not pass into law." "Why not?" he was asked. "Because," he replied, "if that Bill passes into law, it will cut away one of the strongest grievances which Dissenters have against the Church." No doubt if, on the one side, there was a strong feeling in favour of this measure, there was also a strong feeling against it in certain quarters, and the compact appearance of the Benches opposite at that early hour of the day proved how strong that feeling was. He thought that the opposition to this Bill was another proof how men's minds might be blinded to the interests of justice and humanity by theological animosities; but it could not be denied that theological differences had enough to answer for in this country. They had stood for years in the way of just and useful legislation. For years they had hung like a dead weight on all our efforts to improve the education of the poor. Even now they barred the access of at least half our fellow-citizens to the emoluments and degrees of our Universities. But if there be a spot on earth from which these baneful influences should be expelled, it was that spot around which in every parish were centred our dearest memories of the past, and our most blessed hopes of the future. He had attended funerals of both Churchmen and Dissenters, and seen clergymen of the Church of England and Dissenters walking side by side, agreeing to forget the dogmas that divided them in the hopes which united them. He must say that, from that simple sight, he learnt a lesson of Christian charity which he could not have extracted from the whole of the Thirty-nine Articles of the Church of England put together. It was in that spirit of Christian charity that he asked the House to approach his Bill, and should that Bill pass into law—as he hoped and trusted it would—he was sure that no Member who followed him into the Lobby would ever regret that, by his vote to-day, he had helped to confer on thousands of poor men and women in England and Wales a boon which would be all the more precious because it would be felt at a time when the wounds of sorrow were still fresh, and when, therefore, the consolations of religion were at once most needed and most welcome.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Osborne Morgan.*)

Colonel BARTTELOT rose to move an Amendment that the Bill be read a second time that day six months. His duty seemed to him clear. He believed that the Bill would, if passed into law, be a most mischievous Bill, and instead of bringing peace would bring discontent. It would bring to many now happy parishes a state of things which did not now exist. The hon. and learned Gentleman (Mr. Osborne Morgan) had referred to some cases of grievance inflicted by clergymen under the existing law; but it did not follow that therefore the whole of our clergymen were oppressive. It was not because the churchyard was the freehold of the clergyman that he objected to the Bill, but because it was the burial ground of the Church, and the Bill would infringe on the rights and privileges of the congregation. He knew that many of the Dissenting ministers were equally honourable with the clergymen of the Established Church; but were there not also many political Dissenters who would avail themselves of the provisions of the Bill to go to the churchyard for the purpose of creating disturbance? The hon. and learned Gentleman said that if the Bill were passed it would not have any tendency to destroy the Church of England; but if a Dissenting minister were allowed by law to enter a churchyard for the purpose of burying a Dissenter, would he not soon begin to think that he had an equal right to enter the sacred edifice for the purpose of marrying or baptizing a Dissenter? He admitted that when the Bill was last year referred to a Committee he hoped that some compromise might have been proposed; but, in point of fact, it came back virtually the same Bill, in the opinion of all Churchmen, because it still provided for the same method of burial originally proposed, and he still hoped that some compromise might be effected. It had been asked—Would you bury a Dissenter like a dog? No. Let Dissenters be decently buried in graveyards of the Established Church, but let the religious service have been first conducted according to the views of the body to which the deceased belonged, and in their own place of worship. If this were done, there would be no cause for the disturbances in churchyards, which would inevitably attend the working of the present Bill. He understood that the hon. Member for Salford (Mr. Cawley) was about to bring in a Bill to amend the burial laws by providing for the opening of additional graveyards in localities where they were needed (there being no real grievance in the towns) —it was only in some few country parishes that the difficulty arose—and he thought such a Bill would remedy any difficulties having an actual and tangible existence. The hon. and gallant Member concluded by moving his Amendment.

MR. STOPFORD-SACKVILLE, in seconding the Motion, said, he had not heard in the speech of the hon. Member for Denbighshire any argument or any grievance that he had not urged or mentioned on the last occasion, when he brought in a similar Bill, with the exception of a case in Suffolk, when a Dissenting minister had delivered a harangue outside a churchyard, the purport of which was that consecrated was no better than unconsecrated ground. Why, then, were Dissenters so anxious to take possession of the parish churchyards? The real complaint of the authors of this measure was that the canon law did not allow a clergyman to perform the burial service over an unbaptized person; but the Bill, so far as he knew, did not attempt to remedy this so-called grievance. Everyone must regret these perpetual religious controversies, and long for the millennium prophesied by the hon. Member for Bristol on the first night of the Session, and he should have rejoiced if the Bill which came down from the Select Committee of last year had been such as he could support. It was in but few cases that any grievance was likely to arise under the existing law, and they were diminishing year by year, because, in most instances, a burial ground was attached to the Dissenters' chapels, and owing to the gradual filling-up of the old churchyards the number of cemeteries was constantly increasing. It was only in districts where the population was sparse that a difficulty was likely to arise, and, as a rule, Dissenters were found most numerous among the town populations. It did not seem that there was any very strong sentiment out-of-doors in favour of the measure, seeing that, while there were 289 Petitions against it in the last Session, there were only 78 in its favour. It had been said that at the grave all religious differences ought to be forgotten; but still the feelings of the survivors ought to be consulted; and, to use the language of a right hon. Gentleman the other night, there was no reason why a feeling of charity for the dead should interfere with equity for the living. It had also been asserted that churchyards were national property; but they did not stand on a different footing from the churches. Admission to the churches was the right of every man on the simple condition of the performance of Divine service by a minister of the Church of England. In like manner Dissenters were permitted to be buried in the churchyards on the condition that the service of the Church of England was performed over their bodies by a clergyman of the Church of England. When the payment of church rates was enforced there might have been some foundation for the claim of the Dissenters to equal rights in the churchyard; but since those rates had been abolished the expense of maintaining the fabrics of the churches and the churchyards was thrown entirely upon the members of the Church of England, and the argument in favour of the rights of Dissenters over such places fell to the ground. If this Bill were passed, how would it be possible for the clergyman to exercise the control he at present possessed over the tombstones in the churchyard? At present, as Sir Henry Jenner Fust had laid down, the clergyman had power to prevent the erection of any tombstone in the churchyard on which was placed any inscription contrary to the doctrines of the Established Church; but in the event of this measure becoming law the inconsistency would arise that, while retaining that power, the clergyman would have to stand by while a Dissenting minister preached doctrines utterly irreconcilable with those of the Church of England. It had been said that the system proposed to be established in the Bill had worked well in Ireland; but he (Mr. Stopford-Sackville) protested against the legislation for Ireland being accepted as a precedent for legislation in this country. Many strange things were done for Ireland which no one would ever think of proposing for England. Ireland was a country which few people understood, and he rather thought that even the noble Lord (the Marquess of Hartington) did not thoroughly understand it, or why had he moved for a Select Committee the other evening, to enlighten him as to the state of Westmeath? If Dissenters were to be admitted into the churchyards they ought to stand, in respect of rituals, upon the same footing as the Churchmen, who were bound to use a definite form of words in their burial service. They knew the disadvantages of extempore speaking; even a practised orator, the right hon. Baronet the Member for Tamworth, had had to apologize for an expression which had dropped from him in a speech in this House on the expenditure of the Duchy of Lancaster; how likely, then, was it that Ministers, in their unprepared service, might use expressions they would afterwards regret. But the Church of England had denominational rights as well as the Nonconformists, and it would be a great blow to those rights were Dissenting ministers to be permitted to perform a service in her churchyards which was inconsistent with her doctrines. Too often, he regretted to say, the churches were closed on weekdays against worshippers; but, at least, in the churchyard Christian mourners might weep and pray. Let them not disturb that sacred seclusion; but, as the extravagance of Ritualism had been suppressed, let them likewise restrain the eccentricities of Nonconformity, and not allow the churchyards to be the scenes of unseemly contention. The hon. Member for Salford (Mr. Cawley) had given notice of his intention to introduce a Bill on the subject of burials, which he hoped might be such as to command the support of that side of the House. For his own part, if there was any doubt as to the right of all parishioners to be buried in their parish churchyard, he was ready to pass a declaratory Act on the subject, as also to relieve the clergyman from the necessity of reading the Church service where the relations of the deceased objected. He would also aid in the establishment of central cemeteries where there was any deficiency of burial grounds in rural districts; but he could not support the measure now before the House, but must take part in the defensive warfare now being waged on behalf of the denominational rights of the Church of England.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel Barttelot.*)

MR. RICHARD: I am sorry the hon. and gallant Gentleman (Colonel Barttelot) has felt it his duty to oppose the second reading of this Bill. I do not for one instant call in question the perfectly conscientious motives by which he is prompted to take that course, nor have we any reason to complain of the spirit in which he has discharged what he acknowledges is a painful duty. It appears to me that what we ask for under this measure is not a very large concession to the rights of conscience and the claims of Christian charity. And certainly after what took place during the last Session of Parliament, I did hope that we might have been spared another conflict on this subject. For not only was there a full discussion, conducted with much ability and in an excellent spirit on both sides, which ended in a vote in favour of the Bill of two to one, but it was referred to a Select Committee, on which I had the honour to serve, and by which every line and almost every word was carefully considered. And when I remind the House that among those who represented the opposite side were one of the Members for the University of Oxford (Mr. Mowbray), the hon. Member for South-west Lancashire (Mr. A. Cross), the hon. Member for Boston (Mr. Collins), and, above all, the hon. Member for the University of Cambridge (Mr. B. Hope), himself a whole host as a defender of the faith—it will be readily understood that the views and the interests of the Church of England were maintained with no want either of ability or tenacity. But while those hon. Gentlemen did, as everyone expected they should, hold their own earnestly and resolutely, I have pleasure in acknowledging, with my hon. and learned Friend the Member for Denbighshire (Mr. Osborne Morgan), that they met us in the discussion in a kind, candid, conciliatory temper, and with an honest disposition, as it seemed to me, to find a practical solution for the difficulty, and to relieve a grievance which on all hands was acknowledged to exist. I regretted, therefore, when the Bill came back to the House, to see the determination of some Gentlemen opposite, though not the Members of the Committee, to defeat it at any cost. May I be permitted to remind the House once more that there are two classes of persons for whom we seek relief under this Bill? There is one class who are absolutely denied all rights of Christian burial in the parochial churchyards. The House is aware that there is a numerous and highly respectable body of Christians in this country who do not think it right to administer baptism to infants, or to any but such as are of an age to make an intelligent profession of their personal faith. Among the names that adorn the annals of this body, there are some who are held in honour by men of all Churches for their genius and piety, and their devotion to the cause of religious truth—such men as John Bunyan, and Robert Hall, and John Foster the celebrated essayist, and Drs. Carey and Marshman, who had the high distinction of translating the Sacred Scriptures into the language of some 200,000,000 of the inhabitants of India. But when a child of any member of this community dies, if there is no other burial place accessible, they have to take the body to the churchyard, where it must be laid in the ground without any religious service whatever. There are some of the clergy of the Church of England themselves who feel strongly on this part of the subject. But there is another and a much larger class for whom we plead under this measure, including all the Nonconformists of this country, of whatever names, who are forbidden to have their dead buried in the churchyards by their own ministers, and with their own form of religious service. Hon. Gentlemen opposite are apt to say that this is a very small grievance. I dare say to them it is no grievance, because they do not suffer it; but those who wear the shoe must be allowed to judge where, and to what extent, it pinches. But if they were, by a little effort of the imagination, to reverse the case, and to put themselves in our position, I think they would find that it is by no means an insignificant grievance. Let them imagine that, when a near relative of theirs dies, instead of having him buried by their own clergyman—the religious instructor and adviser of them and their family, perhaps their intimate personal friend, who has been with them at every critical moment of their lives, sorrowing with them in their sorrows and sympathizing in their joys; who has bent with them at the death-bed of the departed, administering to him the last consolations of religion, and afterwards mingled his tears with theirs over the coffin—instead, I say, of having the service of such an one, they were obliged to have recourse to some Dissenting minister, who may be an entire stranger to them, or who may be a person whom they cannot respect, and towards whom they may feel strong antipathy. And let them further conceive that the service performed by this individual is not that which they love—the beautiful service appointed for the occasion in their Liturgy, but something else, which, though substantially unexceptionable, is not what they are accustomed to, what they prefer, and what is most in harmony with their own religious views and feelings and tastes. I ask them, if they were compelled to submit to this, would they not feel it to be a serious grievance, from which they would come to us to ask for relief? Well, then, do unto others as ye would they should do unto you. But what are the objections to this measure? Well, the one serious objection I have heard is this—that if Nonconformist ministers were admitted to perform a funeral service in the churchyard, they would take advantage of that right to do or say something that would be offensive to the clergyman or to Churchmen generally. Well, I believe a more chimerical apprehension than that never troubled any man's brain. Do hon. Gentlemen really imagine that when men are gathered around the grave of a deceased friend, when every mind is solemn and every heart is sad, they would seize that moment to launch forth into theological or ecclesiastical controversy, or to indulge in bitter sectarian allusions? Why, they must think Dissenting ministers to be devoid of all decent feeling and of all common sense. They say that sometimes now unbecoming scenes take place in churchyards. No doubt that arises from the existing state of the law. If scenes of agitation and excitement, little in accordance with the decorum and reverence due to the occasion, do now occur, it is because some indiscreet or over-zealous clergyman takes advantage of his position to deal a blow on the yet bleeding wounds of those already smitten by the hand of death, that the indignation of the bystanders is stirred. Let them remove such provocations as these out of the way, and I will answer for it, that funeral services will be performed with all Christian solemnity and decorum. But we are sometimes told, why do not Dissenters provide cemeteries and graveyards of their own. This was put pointedly by the hon. and gallant Gentleman who moved the Amendment. Why, said he, should a man who has been baptized at a chapel, and been married at a chapel, and attended religious worship at a chapel all his life, want to be buried in our churchyard? Well, in the first place, it is not your churchyard. It is as much our churchyard as it is yours. On this point I can cite an authority which you yourselves will not gainsay—that of Gibson, a former Bishop of London, and an eminent writer on these questions. He says that by the ancient law of England,

> "The parochial churchyards, being laid out and inclosed for the common burial places of the respective parishioners, every parishioner hath, and always had, a right to be buried in them."

["Hear, hear!"] Very well; but if every parishioner has and always had, a right to be buried in the churchyard, what entitles you to call it your churchyard? But there is another reason why, very often, Dissenters may wish to be buried in this churchyard—you may call it if you please, a sentimental reason, but it is one that springs from a feeling that is deep in our common human nature, the desire that men have to be buried with their kindred, or in the beautiful language of the oldest and best of books, to be gathered to their fathers. There is, however, another reason why Dissenters do not have cemeteries or graveyards of their own, and that is, because they cannot get them. The right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy) said last year that almost all over the country the Dissenters had graveyards attached to their chapels. I assure the right hon. Gentleman that he is mistaken. There are thousands of Nonconformist chapels which have no graveyards, and that because it is impossible to get them. At any rate, I can answer for that part of the country with which I am more immediately connected—the Principality of Wales. The fact of the case was that in Wales the members of the Church of England, for such the landowners are generally—sometimes, no doubt, from the condition on which they hold their own estates, which forbid their alienating any part by sale; but in other cases, I fear, from a mere arbitrary use of the rights of property as owners of the soil—refuse to the Nonconformists a bit of God's earth in which to bury their own dead with their own rites. They are thus driven to the churchyards, and when they get there you shake your canon law in their faces, and say to them—"You Baptists, if you bring your children to be buried here, you must be content to bury them with the burial of a dog, without one word of Christian faith and hope being uttered over their graves; and you other Nonconformists, if you are to bury your dead here they must be buried by our minister, and with our service, and you shall not be allowed to open your own lips." Hon. Gentlemen opposite are the best judges of what is most wise and expedient for them to do in the interests of their own Church. But I think, if I were a member of the Church of England, I should try to promote the passing of this Bill with both hands. You must be aware that the tie which binds many millions of the people of this country to your Church is, for various reasons, very much loosened. But there is one tie which nearly all men feel more or less. The staunchest Dissenter, the most inveterate Radical, is not wholly insensible to the halo of veneration and sacredness which gathers around the old churchyard, where

> "The rude forefathers of the hamlet sleep,"

and among others their own forefathers. But you are doing all you can to sever that tie. Hon. Gentlemen can hardly be aware how much these exclusive and invidious privileges to which they so tenaciously cling, and the scenes of scandal and outrage to which the rigid enforcement of these privileges lead, tend to alienate and embitter the minds of multitudes as regards their Church. I think, therefore, that not merely for the sake of the rights of conscience which we urge, and the claims of Christian charity which you agree with us ought to be cultivated, but for the interests of your own Church, it would be well for you to let this Bill pass into law.

Mr. BERESFORD HOPE congratulated his hon. and learned Friend on the tone in which he had introduced the measure, and the hon. Member who had just sat down, both upon his candid and considerate speech, and upon his having joined the Ritualists in the Church of England, inasmuch as he wore at his button-hole the badge of one of those black-letter saints' days, which had moved the indignation of even so staunch a Churchman as the hon. Member for East Surrey. (The hon. Member wore the emblem of St. David.) While admitting that the Bill was as little objectionable—thanks to the good feeling of the Select Committee of the preceding year—as it could be made upon the basis on which it rested, he should support the Amendment. The basis upon which the whole turned was the admissibility of an alien service into the churchyard. The Bill strove to give this permission with safeguards and limitations; but, as he contended, the former were nugatory and the latter insufficient. Two arguments for the principle of this admissibility had been urged on the other side of the House. The first was the grievance that no religious service could be said by a minister of the Church of England over the grave of an unbaptized person, while the service was said over men who had disgraced their baptism by an ungodly and scandalous life. This argument he would meet with the assertion that whether it were a grievance or not, the Bill in no way reached it; and, on the other hand, that it had been effectively met elsewhere, for—as he was not allowed to state last year—the Royal Commission, which had sat for three years working laboriously at the rubrics of the Prayer Book, had adopted the suggestion that the clergyman might, limited by a certain discretionary power vested in the Bishop, read an abridged and selected service over the grave of an unbaptized person, or of one whose life had occasioned grief to pious and honest people, without his being actually unworthy of some religious service. This suggestion was contained in the fourth Report of the Ritual Commission, of which he had the honour of being a Member; and it would meet the objection, while the Bill of the hon. and learned Gentleman opposite did not attempt to touch it. When the Church of England refused to read the customary service for the dead over the body of an unbaptized person it only acted consistently with its doctrines and ceremonies, which made the rite of baptism the condition antecedent to participation in the actual office of burial. His hon. and learned Friend had argued that there were special scandals peculiarly inherent in the rigid adherence to these doctrines—scandals committed by hot and wrong-headed Churchmen; but, in using that argument, his hon. and learned Friend resorted to the same short list of instances which he had recited a year before. This iteration, however, did not tend to strengthen his contention now, for the hot dinner of yesterday was apt to become a cold and unpalatable luncheon on the morrow. Besides—as last year, so now—his hon. and learned Friend ignored the possibility of similar heat and wrong-headedness on the part of his Nonconformist *protegés*. This omission put upon him (Mr. Beresford Hope) the necessity of repeating his instance of last year, and of reminding the House that one rev. gentleman, a Nonconformist, who had the honour of being one of his hon. and learned Friend's constituents had, in that character, shortly after the General Election, expressed from the pulpit the pious wish to turn the head of the other Member for Denbighshire into a football. But he begged his hon. and learned Friend's pardon. One new case had been produced by him during the present year from the county of Suffolk, where a clergyman allowed the service to be performed outside the churchyard by a deputy minister, Mr. Eleazar Jones, and everyone went away happy, an event which furnished so pretty a picture that it read like one of Virgil's eclogues or Shenstone's idylls. His hon. and learned Friend dwelt with serene confidence upon the words of the 5th clause, providing that a religious service should be "conducted in a decent and solemn manner." He took him at his word, and tested the report of Mr. Eleazar Jones's general discourse, as read by himself, in the light of this proviso. He appealed to all who had heard it when he said that it certainly was not conducting the service in a decent, solemn manner for the Rev. Eleazar Jones to attack the distinctive tenets of the Church, close by the churchyard, in any but the tenderest terms; and if, by the Bill, Rev. Eleazar Joneses got inside the wall of the churchyard, only ill blood and ill feeling would be engendered by the operation of the measure; for it was not to be supposed that the words which Mr. Eleazar Jones thought decent and solemn on the outside of the gate would in his eyes become indecent and irreverent within the inclosure. It was, he repeated, on the showing of the hon. and learned Member himself, solely due to the moderation of the clergyman of the parish that a riot did not occur on the occasion of Mr. Eleazar Jones delivering, under the pretence of a funeral oration over a deceased Dissenter's body, that bitter denunciation of the Church of England. If we were to have an infinite number of Eleazar Joneses delivering such discourses inside a churchyard, and almost within the church itself, the measure would prove one of the most fruitful of mischief which ever had passed Parliament, for the House must note that there was a safeguard in the case of any clergyman, however intemperate, which did not exist in the case of the Dissenter. A clergyman of the Church of England could not utter over the grave one word which was not in the burial service; but in the case of a Nonconformist minister performing a burial service in a churchyard that safeguard did not exist. He was left to his own unchecked definition of decency and solemnity. The hon. Member opposite (Mr. Richard) also dwelt upon the burial service being conducted in a decent and solemn manner; and probably Mr. Eleazar Jones thought he performed the burial service in a decent manner when almost within the walls of one of our churches he vented his Philippic against the Church, under the pretence of making a funeral oration. He (Mr. B. Hope) saw no safeguard in this Bill against any delegate from some freethinking sect of native or foreign growth delivering an oration over the grave of one of his fellow-members in one of our churchyards. Any of those sects might register a so-called place of worship and appoint a spokesman, and then there would be nothing in the Bill to prevent that person from coming to any churchyard and holding a so-called religious service which would irritate not only the clergyman, but any Dissenting minister of the parish who valued the Gospel. When Hardy died one of his fellow-conspirators delivered what was virtually a political oration over his grave in the cemetery where he was buried; and, under this Bill, similar orations might be delivered in any of our churchyards. He need not refer to the frequency of funeral orations abroad. They had, indeed, become such a drug that the consistent freethinker, St. Beauve, forbad any over his remains. The supporters of this Bill exaggerated the very grievance which they pretended to be desirous of abolishing. He was ready to go to any extent in making the acquisition of land for burial grounds for all kinds of people as easy, as cheap, and as general as possible, whether they were to be denominational or for the whole community. Dissenters had the power of saying their burial service in the house of the deceased, which, he believed, was usual in Scotland. They had the power of carrying the body to any place of worship of their own, where prayers might be said and hymns sung, and such exhortations might be delivered as would comfort and cheer the survivors. Finally he would re-affirm by statute, in the strongest possible language, the common-law right of any parishioner to burial in the parish graveyard irrespective of service. As to the grievance in the form of the Church service, he was the most advanced reformer of all, for he had taken his part in proposing its remedy. After all, there would only remain a fragment of grievance which the supporters of the Bill sought to remove; but this could not be granted without causing scandals much greater than those of which the other side alleged the existence. That grievance was, in fact, the assertion that there was not, in many cases, a cemetery near enough for the burial of Dissenters, where the service of their own denomination might be read. For his part, as he said already, he should be quite ready to support any reasonable proposition for redressing it. Members on his side of the House had been conjured to pass the Bill on the plea that the hon. Member for Bristol (Mr. Morley) had said that, if this and another measure were passed, there would no longer be any

Dissenters' grievance; but if there was a Member for Bristol there was also a Member for Bradford, and his declarations were very different. Now that men's minds were inflamed and excited by the proclaimed campaign against the Church of England Churchmen could not but look with dread and suspicion at proposals which might be considered comparatively innocent and harmless at a time when public opinion was in a less distempered frame. It was the sight of the serried flanks led by the hon. Member for Bradford (Mr. Miall)—an army who were pointing their guns against the Church of England, that compelled her adherents to throw up earthworks, and look to her defences. On these grounds he must vote against the second reading of the Bill.

MR. M'CLURE said, he regretted that the hon. and gallant Member for West Sussex (Colonel Barttelot) had considered it to be his duty to offer opposition to the passing of this moderate, reasonable, and just measure; as in Ireland they had formerly suffered from similar restrictions, he would venture to say a word or two of their experience there. Many of the clergy of the late Established Church, appointed guardians of the graveyard in times when no other fit and responsible party could be entrusted with its charge, rightly recognizing their position as trustees for the public of the parish burying ground, considered that it was no dereliction of their duty to admit ministers of other denominations attending funerals of deceased members of their communion to perform the service most congenial to the feelings of surviving relatives—that, indeed, frequently was the wish of the deceased expressed upon their dying beds. But some imagined they would better maintain the dignity of their Church, as established by law, by taking a different course; they shut the gates of the churchyard on the funeral procession when accompanied by Nonconformist clergymen; the assembled friends and relatives were obliged to lay the coffin on the roadside, that they might hear their own minister read of the Resurrection and another life, and from his lips a word of exhortation. After that they were permitted to enter the churchyard, and in solemn silence to deposit the remains in their last resting-place. It had sometimes happened that when permission had been asked, and no reply given—possibly in the absence of the rector—as the gates were left open it was believed that no objection would be made; but when the coffin had been lowered into the grave, then an interdict had been served. He had heard, when a Wesleyan minister had been engaged to conduct religious exercises, the rector and curate interfered and insisted upon performing the service, although the relatives not only protested, but left the place until the service was concluded. It might be that those who took this stand thought they were doing good service to the Church, upholding its exclusive claims and right to dictate to others how they should bury their dead; but the true friends of the Church deeply regretted it. At that trying time, when relatives were sorrowing for the loss they had sustained, their feelings were highly sensitive, and when, under deep emotion, they desired to pay all respect and honour to the memory of the deceased, they were wounded and aggrieved by what they felt an act of assumption and intolerance, and an insult to the memory of the departed. He had known a large assembled party—the great proportion of whom had been upholders of that Church as an imagined bulwark of civil and religious liberty—depart from the churchyard with very different feelings from those with which they had approached it. They no longer looked upon that Church as the guardian of religious liberty. They had come to the conclusion that the exclusive rights and privileges claimed for that Church were inconsistent with the true spirit of Protestant liberty and forbearance. The ascendancy of that Church had passed away and was now a matter of history; yet some of those vexatious restrictions remained. He must bear his testimony that he had attended hundreds of funerals in parish churchyards, and elsewhere, where the service had been performed by Nonconformist ministers, and he never heard a single word that could give reasonable offence to any Episcopalians. He had never heard a single complaint of any act or speech unbecoming the occasion, and he believed it to be the fact that not one instance could be found. He trusted that this very moderate measure would be passed by this House. He had no hesitation in saying that right, justice, and true policy demanded that it should become law.

Mr. ASSHETON CROSS said, hon. Members, no doubt, would congratulate themselves that, unlike the hon. Member who had just addressed the House (Mr. M'Clure), they had not had the practical, though painful, experience of having attended hundreds of funerals in the course of their lives; and they might further say that looking to the course of recent Irish legislation in respect to the Church, it was not to Ireland that side of the House was likely to look for any example they should follow in this case. He would remind the House that legislation with regard to this subject stood upon a different footing in England and in Ireland. It had always been the practice, almost from time immemorial, for Roman Catholics and Presbyterians to enjoy the privilege of making use of the parish churchyard in Ireland; and, so late as 1824, an Act was passed to enable the Anglican clergyman to permit the minister of any other Church or congregation to perform the burial service at the grave of one of his own congregation in the parish churchyard. The members of those two Churches in Ireland had been in the habit of performing the funeral service in the house of the deceased, or in the chapels belonging to their persuasion; but when the Act was passed, they began by degrees to conduct their funeral services—sometimes by permission, and at other times without permission—not as they had been accustomed to do, but in the churchyard where the burial took place; and it was in consequence of that change of practice that some of the clergymen in Ireland—whether wisely or not he would not stop to inquire—refused the permission which by the law of 1824 they were permitted to give, and it was in consequence of that refusal that the second Act, to which allusion had been made, was passed. In England the Roman Catholics and Nonconformists had never been in the habit of making use of the churchyard; and if they had been, and had been in the habit of reading the burial service at their homes or in their chapels, there would have been practically no difficulty whatever in removing any grievance supposed to exist—because he believed those who sat on his side of the House were willing that funerals of Dissenters should be performed in the churchyards if those who were connected with them were content to have their services performed either at home or in their chapels. He was a member of the Select Committee of last year, and he was willing to bear his testimony to the care and attention bestowed on the provisions of the Bill, and to the willingness of its supporters to come to a unanimous decision upon them; but there was the most determined resolution that no other services than those of the Church of England should be used in the churchyards of this country. That, he considered, was the principle for which they were now contending. He believed the demand now made to be a blow aimed at the existence of the Established Church, and as such he was there to resist it; and he could not but think that the course pursued by the hon. Member for Bradford (Mr. Miall), who was a member of the Select Committee, had opened the eyes of many hon. Members upon the subject. It was now said that the Baptists and Nonconformists had a grievance so long as the present law existed—that with regard to Baptists they ought to be buried without any inquiry by the clergyman as to their baptism, and to bury the corpse as a matter of course; but with regard to ordinary Dissenters, it was said the Church of England had no right to refuse them burial in the churchyards, because they were not the churchyards belonging exclusively to the Established Church, but to all the people of the country; and that so far from their being the freehold of the clergyman, he was but a mere conduit pipe for conveying the use of the churchyard for the benefit of the parishioners. He admitted that it was the right of every Dissenter to be buried in the churchyard of his parish; but then it should be remembered they must use the churchyards according to the rites of the Church of England, and not according to the peculiar rites of that sect of religion to which the deceased belonged. If he could not trust in all cases to the discretion of the clergy of the Established Church, what was there in the conduct of the ministers of other denominations that they should be prepared to place implicit confidence in them, and that the services should be so performed as that disturbances at funerals would be comparatively few? There were parts of the country, he feared, where, if burials took place in parish churchyards according to the rites of the Roman Catholic religion, they would lead to riots and disturbances; and they must bear in mind if they allowed burials according to the rites of Nonconformists in parish churchyards, they could not exclude Roman Catholics. The Bill went far beyond what was required for the removal of the grievance said to exist, because it not only included the old parish churchyards, but every churchyard that had been consecrated up to this time. No one would venture to deny that the land which had been given for churches in modern times had been given for the purposes of the Church of England alone, and that the members of the Church had the same right to that land as the Nonconformists or Roman Catholics had to the land on which their own places of worship were built. When they spoke of invading the rights of conscience, by keeping those churchyards for the exclusive use of the Church of England, they proposed by this remedy to invade the rights of conscience in a far greater degree by passing this Bill. The same arguments that were advanced in support of this Bill were equally applicable to the performance in our churches of services that were not services of the Church of England. The Bill, in fact, was one further step towards destroying the Church of England, and seizing its property. The remedy proposed was not required. All that was required was that all difficulties to the acquisition of land for burial grounds should be removed. That was, in fact, never a religious but a political grievance, and in proof of that hon. Members had only to turn to those calm and temperate speeches with which Sir Morton Peto always introduced the subject to that House. He should give the Bill his constant opposition so long as it remained in its present shape.

Sir THOMAS LLOYD said, it was not his intention to oppose the Bill. He believed the Nonconformists had a grievance which, with proper safeguards, might be remedied, and he suggested it would be better that burial yards should be provided, to be paid for and supported by a rate. He denied that the landlords in Wales refused to let Nonconformists have land for religious purposes.

Mr. SCOURFIELD said, there were practical grievances and sentimental grievances, and what they had to consider was, whether what was now complained of was a practical or a sentimental grievance. No one was more ready to remove practical grievances than he was, because when relieved it gave satisfaction; but with regard to sentimental grievances, he did not believe it was of the slightest use to pay any attention to them—if you removed one, another instantly sprung up in its place. Now, it seemed to him that this grievance belonged to the sentimental rather than to the practical. If he were asked for a definition, he should say that Joseph thrown into the pit had a real grievance; but the displeasure caused to Haman by the sight of Mordecai was a sentimental grievance: and he asked himself the question, when a grievance was brought before the House, whether it belonged to the Josephean or the Hamanite class. Now, he believed this grievance belonged to the Hamanite class. He had given the best consideration he could to this Bill, and his conclusion was that he could not follow the hon. and learned Gentleman into the Lobby.

Mr. D. DALRYMPLE said, that as a firm and attached member of the Church of England, he considered that Church would act wisely if, instead of fighting about fragments of privileges, they would turn their attention to the best way of consolidating the Church by getting rid of those irritating fragments which did no good, but which only tended to foster and keep up that spirit which he, as a Churchman, was anxious to see allayed.

Mr. COLLINS said, that as to the complaint of the delay which had occurred last year in forwarding this Bill through the House, he would recommend the hon. and learned Member (Mr. Osborne Morgan) and all amateur legislators to get their Bills read a second time, and then fix the Committee for a Wednesday, instead of attempting to get into Committee on Tuesdays or Fridays, when there was small chance of its coming on at all; or, that if it did, it would be at some early hour in the morning. He did not like this Bill, and he did not suppose anyone in the House liked it, because compromises were always unsatisfactory; but, although the Bill was bad, it might have been worse. It was an improvement on any other Bill which had been produced to give relief to the sentiments or consciences of Nonconformists, and he believed that in Committee it might be so altered by inserting a compulsory enactment for the provision of alternative graveyards that the Act itself would come into operation in only a few places. Churchmen disliked the Bill and believed that it would lead to excite bitterness of feeling amongst the rural population, and therefore they would be ready to provide alternative graveyards. For this reason, and because he was assured that Nonconformists wished to meet Churchmen fairly in the matter, he would not oppose the second reading.

MR. M'ARTHUR instanced the good effects which had been produced in Ireland by the measure which had been introduced by the right hon. Gentleman (Mr. Monsell), and argued that similar happy results might be expected from passing the Bill before the House. He knew an instance of a clergyman of the Established Church having refused to read the burial service over a Nonconformist because he had made a vow never to bury a Dissenter. The consequence was that the friends of the deceased took the body away and buried it in a Dissenting burial ground several miles off.

MR. CAWLEY said, he fully sympathized with the hon. Member (Mr. Richard) in his desire to promote good feeling between Nonconformists and members of the Church of England; but he did not believe that this measure would have that effect. The hon. Member, and others who had preceded him, had brought forward instances of alleged grievances of the Dissenters; but they had confounded abuses of the law with the law itself. He wished to draw attention to the real state of the question. The system introduced in 1852 for providing cemeteries by means of burial boards had proved most successful. There were 333 of those boards in operation in the most populous portion of the kingdom, and he believed that if the powers of the Burials Acts were extended, so that greater facilities were given for providing graveyards under similar circumstances, the present grievance would be got rid of. In the cemeteries formed under those Acts, the ground was divided into consecrated and unconsecrated. The former was appropriated to burials conducted according to the rites of the Church of England, and the latter was used by the Nonconformists. It was his intention to ask leave to bring in a Bill with the object of further extending those powers. He could not understand why Parliament should be asked to apply to one part of the country a principle different from that which was adopted in the rest of the kingdom. The question was not whether the clergyman should be relieved from the obligation to perform the service; but whether a churchyard, in the immediate vicinity of the church, should be open to the performance of any so-called religious ceremony. With regard to the main body of Nonconformists, the more closely Churchmen could be associated with them the better; but it was impossible to frame a clause which, under the term "religious service," should not admit of anything which anybody chose to describe as such. Anybody worshipping a Superior Being was performing a religious service. ["No, no!"] The law recognized as religious services the ceremonies which took place in India; and it was evident that no language which they could employ would exclude any kind of service in this country. As an instance of what might occur, he would mention the fact that a short time since a Socialist was buried in the Rochdale cemetery, when another Socialist delivered an oration over the grave in advocacy of the peculiar doctrines of that body. He was sure that the hon. Members who supported this Bill would object to such proceedings as strongly as those who opposed it. One of the clauses of the Bill provided that a minister or member of a religious body having a registered place for public worship might officiate; and whatever opinion might be formed as to the abstract meaning of the term "religious service," it was certain that when a Court of Law came to consider this clause, anything consistent with the tenets of any sect holding its meetings in a place registered for worship would be held to be religious worship.

MR. BRUCE said, he would, in the first place, congratulate the House on the generous spirit in which the debate had been conducted on both sides. He thought he saw in the courtesy which had been manifested a proof of the desire on the part both of Churchmen and Dissenters to obliterate causes of dissension.

He quite agreed with the hon. Member for Bath (Mr. Dalrymple) in thinking that this was not a question as between Church and Dissent, for he was sure that if Churchmen out of the House were asked whether they would make the concession now sought the immense majority would be found in its favour. Speaking with all respect of the clergy of the Church of England, he was bound to say that, upon polemical questions, they were not always the truest representatives of the opinions of its members. The main principles of this Bill might be considered as being two in number. One was that a person might be buried, if his friends choose, without any religious service being performed over him; and in that alteration of the existing law there was universal concurrence. But the really important principle was that, under certain safeguards, funeral services might be performed in the burial grounds of the Established Church by persons other than clergymen of the Church. The hon. and gallant Member who had moved the rejection of the Bill (Colonel Barttelot) was mistaken in supposing that in suggesting last year that the Bill should be referred to a Select Committee, he expected that that principle would be excluded. On the contrary, his object was to maintain that principle, but to surround it with every possible safeguard. His experience of the labours of the Committee confirmed his opinion that many objections to the Bill as it was then introduced might be removed by careful consideration. His anticipations had been realized. The representatives of both sides of the House had laboured heartily with this object, and had inserted several important provisions. It was required that ample notice should be given to the incumbent of the intention that a burial should take place in the churchyard without the rites of the Established Church, and either with or without any other religious service; and in order that the different services might not clash, power was given to the incumbent to vary the time stated in the notice within certain limits. The utmost care was taken that the services should be of a religious character, and that no services should be performed by any person who was not a member of a recognized religious body. Furthermore, numerous exceptions to the application of the Act were introduced, where other provision than that supplied by the parish churchyard had been or should hereafter be provided. While, however, he admitted that these provisions would not give absolute security against the performance of services not strictly religious, he dismissed as chimerical the idea that persons would register themselves as religious bodies, for the purpose of having an opportunity of delivering funeral orations over their deceased friends. It was not in accordance with the feelings and habits of the people of this country that irreligious or offensive discourses should be pronounced on these solemn occasions; and in that lay the great security. In order to find such an instance, one hon. Member had been obliged to go back half a century; and as to the occurrence at Rochdale, mentioned by the hon. Member for Salford (Mr. Cawley), he could only say that under this Bill it would still be illegal to deliver political addresses in churchyards. Everything, in short, was done by the Select Committee to minimize the danger. An attempt had been made to show that this Bill, if passed, would lead to further concessions, and that if Dissenting ministers were once admitted to the churchyard they would seek the right of entering the church itself. It was sufficient to point out in reply that the Bill did not go to such an extent. The hon. and learned Member for Denbighshire himself had not ventured to make such a proposition, and it was quite unnecessary to fight with shadows while they had realities to deal with. The Act which had been referred to as having been introduced by the present Postmaster General substituted for a permissive a compulsory law in this matter in Ireland. That Act had worked without disturbance or dissatisfaction; yet surely no one would say that party heat or religious animosity were less strong in Ireland than on this side the Channel. Surely, then, if the principle had worked so well there, equally beneficial results might be anticipated from similar legislation for England. But it was quite as much in the interests of the Church as of religious freedom that he supported this Bill.

LORD JOHN MANNERS said, that the right hon. Gentleman the Home Secretary was mistaken in supposing that the Members who opposed this Bill opposed it as representing clergymen; they opposed it as representing the preponderating body of the laity of the Church of England. The right hon. Gentleman the Home Secretary said that he adhered to the principle of the measure, which was to give any Dissenting minister the right to read over a grave such services as he might think fit; but the right hon. Gentleman did not say how he reconciled that principle with the maintenance of an Established Church. He (Lord John Manners) opposed the Bill for the very reason that its principle was in direct antagonism to an Established Church; because it was essential to an Established Church that the services in the church and also in the churchyard should be according to forms prescribed by law. The hon. Gentleman opposite (Mr. Richard) asked those who opposed this measure to put themselves into the position occupied by those who supported it; and he (Lord John Manners) could say that he had applied that test to himself, and he could with a clear conscience oppose it. In Scotland, he was a Dissenter; but he had never supported the measure to abolish what was somewhat erroneously termed church rates in Scotland. The Episcopal Dissenters in Scotland did not complain of the disabilities arising from their dissenting from the Church established by law there. Therefore, he was quite in a position to accept the challenge of the right hon. Gentleman. They had been assured that by the labours of the Select Committee of last year every security was afforded that the principle of the measure would be so carried out as not to militate against the peace and good-feeling of the community; but he defied the right hon. Gentleman to point out how the 5th clause could ever be brought into operation. Who was to be judge of what was solemn and decent? But supposing the clause to be put in force, what would happen? Why Dissenting ministers would be dragged from one Court to another, and judicial decisions would be sought as to what were solemn services, and whether the provisions of the law had been violated or not. He believed that the alleged grievance of Dissenters not being able to obtain burying grounds was infinitesimally small; and on the showing of the hon. Member for Merthyr Tydvil, was confined to Wales—indeed, no sooner had that hon. Member declared it to exist there, than the statement was contradicted by another Welsh Member. The hon. Baronet below the Gangway (Sir Thomas Lloyd) gave a most positive and emphatic denial to the statement which had been made by the hon. Member for Merthyr (Mr. Richard). The grievance really only existed in an almost inappreciable degree at the present moment, and very shortly would disappear altogether; and therefore there was no need to pass a measure that would be a violation of the essential principle of an Established Church.

Sir DOMINIC CORRIGAN thought that it would be necessary to define the expression "consecrated burial grounds;" because several denominations consecrated their burial grounds. He thought that there was no fear that the measure would give rise to Catholic funeral processions, for he, during a long residence in a city containing 200,000 Catholics, had never seen such a procession. The argument about the "thin end of the wedge" had often been used, and the consequence of the rejection of a measure on that ground had generally been, that the other end of the wedge had been used in smashing down the obstacle.

Sir GEORGE JENKINSON said, he could not understand why Dissenters should not provide burial grounds for themselves as well as chapels. Again, if a gentleman built a church, and gave land for a burial ground, would it not be hard that others should have a right to perform services there for which it had never been intended? If the Bill had been limited to churchyards which had been acquired by the spending of parish moneys, that fact would have gone far to disarm his objection to it.

Mr. MORLEY wished to say that he had received a communication from Archdeacon Allen, in which the rev. gentleman said that he felt that Dissenters had a right to be laid by their forefathers in the churchyard with decent rites pleasing to their surviving relatives; but he thought that the clergyman should have the right to decline performing services over persons whom he could not recognize as Christians or fellow-worshippers. As to ulterior measures which were feared, surely the Church would be stronger to oppose them after this act of justice had been done. The Bill was full of guarantees and securities; and in Committee they would be quite ready to consider any further guarantees that might be proposed—for the supporters of the Bill were as anxious as Churchmen could be to secure the proper and decent performance of funerals in burial grounds.

EARL PERCY said, that these so-called guarantees and securities were worth nothing at all. If there were any one thing more than another could strengthen his dislike to the measure, it would be the way in which hon. Members opposite uniformly avoided meeting the objection, that if this concession was made to Nonconformists with respect to the churchyards it would soon be impossible to keep them out of the churches. He did not know whether the hon. and learned Gentleman who had brought in the Bill had any ulterior object in view; but this he did know — that many persons supported it in order that they might obtain the same footing in the churches which this Bill would give them in the churchyards. They had been told that it was idle to suppose that there would be irreligious services in the churchyards if this Bill should pass. He did not know what the legal interpretation of irreligious services might be; but he should like to hear what would prevent the infidel or the heretic from holding their services in our churchyards. If the Bill had been confined to admitting Dissenters to burial without service in the churchyards, he should have been glad to make the concession, though he did not acknowledge any right of the kind on their part; but he opposed it because they demanded to have a religious service of their own. He might not feel astonished that Dissenters did not appreciate the feeling with respect to consecrated ground; but he should not have expected to hear from Churchmen that consecrated ground was ground set apart for the use of the Established Church. He always understood that consecrated ground was what in olden times was called "God's acre"—that is, ground set apart for the baptized to lie in, that they might be separated in death, as in life, from the rest of mankind. He should have thought that one body of Nonconformists, at all events, would have agreed with him in that—the Roman Catholics. Where did Roman Catholics admit the burials of Protestants in their churchyards? And if they claimed to have more of Christian truth than the other sects of Christendom, they ought to prove it by doing as they would be done by. This question had hitherto been discussed upon secular grounds, but there was also the religious aspect of the question, which was a much more important one, although that might not be the proper place in which to treat of it. But he must be allowed to say that this measure was not only unjust in the extreme, but also excessively irreligious.

MR. NEWDEGATE said, he rejoiced in the speech of the hon. Member for Salford (Mr. Cawley), and, whilst he did not abandon the ground that the Bill constituted an attack upon the Established Church, he claimed, as a member of the Church, and for the Church, the same rights for his denomination as was possessed by every other denomination over the property which belonged to them, the same right in burial grounds of the Church for Churchmen as the Wesleyans and every other denomination had over the burial grounds attached to their chapels. The Home Secretary had promised that everything would be conceded to the members of the Church if they would only yield to the principle of the measure—that is, if they would give up their right to their property; but the hon. Member for Dublin (Sir Dominic Corrigan) followed him, and said that he had never seen a Roman Catholic funeral procession. He also seemed to rejoice in the prospect of using the thick end of the wedge for the overthrow of the Established Church, and almost admitted that this measure might be considered as the thin edge of it. The hon. Member, of course, could not have seen or heard of the funeral procession of M'Manus, or of others of that kind. In Poland and in France funeral processions had been the occasion of most dangerous political manifestations. The Home Secretary said that he was quite certain that there would never be any irreligious service in the churchyards, but promoted the present Bill, whereby such services would not be forbidden by law. The Bill would remove the legal protection against this; and what were they to have instead? what were they to do? were they in every parish to establish a vigilance committee? It was in this way that affairs were managed in the United States, whilst arbitrary control was the regulating power in despotic States; but in free England we had rested our security upon the protection of the law, and he disputed the right of the Government to deprive them of that protection, and to leave them without any legal definition of what was to be considered a solemn and decent performance of religious services. They were about to cast aside the only definition of what was solemn and decent, which the authorized service in the Church prayer-book supplied, and to supply them with none other. He believed that this was an attempt to introduce the thin edge of the wedgeto deprive —members of the Church of England of their property in churchyards; and if this were done, and those who were now intruders were in that capacity to be admitted up to and all around, how could the church doors be kept closed against these recognized and authorized intruders? They were perfectly ready to meet the difficulties of the Nonconformists; but the Church of England claimed the same rights in their property that the Dissenters had in theirs. They, indeed, would not part with it willingly, though it might be taken from them. He lamented that Nonconformists had been led to attack the property of the members of the Church of England, whilst, for themselves, they vindicated such rights most strenuously. This was a narrow-minded position. He should, with a clear conscience, vote against the Bill.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 211; Noes 149: Majority 62.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Wednesday* 7th June.

AYES.

Acland, T. D.
Adam, W. P.
Agar-Ellis, hon. L. G. F.
Amcotts, Col. W. C.
Anderson, G.
Anstruther, Sir R.
Armitstead, G.
Baines, E.
Barclay, A. C.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, Sir T.
Beaumont, Capt. F.
Beaumont, S. A.
Biddulph, M.
Bolckow, H. W. F.
Bouverie, rt. hon. E. P.
Bowring, E. A.
Brand, rt. hon. H.
Brand, H. R.
Brassey, H. A.
Brassey, T.
Bright, J. (Manchester)
Brinckman, Captain
Bristowe, S. B.
Brogden, A.
Bruce, Lord C.
Bruce, rt. hon. Lord E.
Bruce, rt. hon. H. A.
Cadogan, hon. F. W.
Campbell, H.
Candlish, J.
Carnegie, hon. C.
Carter, Mr. Alderman
Cartwright, W. C.
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Cholmeley, Captain
Cholmeley, Sir M.
Clay, J.
Clifford, C. C.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Collier, Sir R. P.
Colman, J. J.
Corrigan, Sir D.
Cowper, hon. H. F.
Cowper-Temple, right hon. W.
Craufurd, E. H. J.
Crawford, R. W.
Dalrymple, D.
D'Arcy, M. P.
Davies, R.
Davison, J. R.
Delahunty, J.
Dent, J. D.
Dickinson, S. S.
Dilke, Sir C. W.
Dillwyn, L. L.
Dodson, J. G.
Downing, M'C.
Dowse, R.
Edwardes, hon. Col. W.
Edwards, H.
Egerton, Capt. hon. F.
Enfield, Viscount
Erskine, Admiral J. E.
Ewing, H. E. C.
Eykyn, R.
Finnie, W.
Fitzmaurice, Lord E.
Fletcher, I.
Fordyce, W. D.
Forster, rt. hon. W. E.
Fortescue, hon. D. F.
Gilpin, C.
Gladstone, W. H.
Glyn, hon. G. G.
Goldsmid, Sir F.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Graham, W.
Grant, Colonel hon. J.
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, hon. N.
Grosvenor, Capt. R. W.
Guest, M. J.
Hamilton, J. G. C.
Harcourt, W. G. G. V. V.
Hardcastle, J. A.
Harris, J. D.
Haviland-Burke, E.
Headlam, rt. hon. T. E.
Henley, Lord
Henry, M.
Herbert, hon. A. E. W.
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holland, S.
Holms, J.
Hoskyns, C. W.
Howard, hon. C. W. G.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
James, H.
Jessel, G.
Johnston, A.
Johnstone, Sir H.
Kay-Shuttleworth, U. J.
King, hon. P. J. L.
Kingscote, Colonel
Knatchbull - Hugessen, E. H.
Lambert, N. G.
Lancaster, J.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leatham, E. A.
Leeman, G.
Lewis, J. D.
Lewis, J. H.
Lloyd, Sir T. D.
Locke, J.
Lubbock, Sir J.
Lusk, A.
Lyttelton, hon. C. G.
M'Clean, J. R.
M'Clure, T.
M'Combie, W.
MacEvoy, E.
Macfie, R. A.
M'Lagan, P.
M'Laren, D.
Marling, S. S.
Matheson, A.
Melly, G.
Merry, J.
Miall, E.
Milbank, F. A.
Miller, J.
Mitchell, T. A.
Monk, C. J.
Morley, S.
Muntz, P. H.
Nicol, J. D.
O'Brien, Sir P.
Ogilvy, Sir J.
Onslow, G.
Palmer, J. H.
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Playfair, L.

Plimsoll, S.
Potter, E.
Potter, T. B.
Price, W. E.
Ramsden, Sir J. W.
Rathbone, W.
Reed, C.
Richard, H.
Richards, E. M.
Roden, W. S.
Russell, A.
Rylands, P.
St. Aubyn, J.
Samuda, J. D. A.
Samuelson, B.
Sartoris, E. J.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Shaw, R.
Sheridan, H. B.
Sherlock, D.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Stacpoole, W.
Stansfeld, rt. hon. J.
Stapleton, J.
Stepney, Colonel
Stevenson, J. C.
Strutt, hon. H.
Stuart, Colonel
Talbot, C. R. M.
Taylor, P. A.
Tollemache, hon. F. J.
Trelawny, Sir J. S.
Trevelyan, G. O.
Vivian, H. H.
Vivian, Capt. hn. J.C.W.
Weguelin, T. M.
Whalley, G. H.
Whitbread, S.
Whitworth, T.
Williamson, Sir H.
Willyams, E. W. B.
Wingfield, Sir C.
Woods, H.
Young, A. W.

TELLERS.

Morgan, G. O.
Dodds, J.

NOES.

Adderley, rt. hon. Sir C.
Allen, Major
Amphlett, R. P.
Arkwright, A. P.
Arkwright, R.
Assheton, R.
Ball, J. T.
Baring, T.
Barnett, H.
Barrow, W. H.
Bathurst, A. A.
Beach, Sir M. H.
Beach, W. W. B.
Bentinck, G. C.
Beresford, Lt.-Col. M.
Birley, H.
Bourke, hon. R.
Bourne, Colonel
Bright, R.
Broadley, W. H. H.
Bruen, H.
Cartwright, F.
Cave, right hon. S.
Cawley, C. E.
Cecil, Lord E. H. B. G.
Charley, W. T.
Child, Sir S.
Clive, Col. hon. G. W.
Clowes, S. W.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Corbett, Colonel
Corrance, F. S.
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Davenport, W. B.
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Duncombe, hon. Col.
Du Pre, C. G.
Dyott, Colonel R.
Egerton, hon. A. F.
Egerton, Sir P. G.
Egerton, hon. W.
Elliot, G.
Feilden, H. M.
Fielden, J.
Figgins, J.
Finch, G. H.
Forester, rt. hon. Gen.
Garlies, Lord
Gore, J. R. O.
Graves, S. R.
Greaves, E.
Greene, E.
Gregory, G. B.
Hambro, C.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hardy, rt. hon. G.
Hardy, J.
Hardy, J. S.
Hay, Sir J. C. D.
Herbert, rt. hon. Gen. Sir P.
Hervey, Lord A. H. C.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hodgson, W. N.
Holford, J. P. G.
Holford, R. S.
Holmesdale, Viscount
Holt, J. M.
Hope, A. J. B. B.
Hornby, E. K.
Hunt, rt. hon. G. W.
Hutton, J.
Ingram, H. F. M.
Jackson, R. W.
Jenkinson, Sir G. S.
Jones, J.
Kekewich, S. T.
Kennaway, J. H.
Lacon, Sir E. H. K.
Laird, J.
Learmonth, A.
Lennox, Lord G. G.
Liddell, hon. H. G.
Lindsay, Col. R. L.
Lopes, Sir M.
Lowther, J.
Mahon, Viscount
Manners, Lord G. J.
Manners, rt. hn. Lord J.
March, Earl of
Mellor, T. W.
Meyrick, T.
Milles, hon. G. W.
Mills, C. H.
Mitford, W. T.
Mowbray, rt. hon. J. R.
Newdegate, C. N.
Newport, Viscount
Nicholson, W.
Noel, hon. G. J.
North, Colonel
Paget, R. H.
Parker, Lt.-Col. W.
Patten, rt. hon. Col. W.
Pell, A.
Pemberton, E. L.
Percy, Earl
Phipps, C. P.
Powell, W.
Raikes, H. C.
Read, C. S.
Ridley, M. W.
Round, J.
Royston, Viscount
Salt, T.
Sclater-Booth, G.
Scourfield, J. H.
Selwin - Ibbetson, Sir H. J.
Shirley, S. E.
Smith, A.
Smith, F. C.
Smith, R.
Smith, S. G.
Stanley, hon. F.
Starkie, J. P. C.
Steere, L.
Sykes, C.
Talbot, J. G.
Talbot, hon. Captain
Tollemache, J.
Turner, C.
Walpole, hon. F.
Walpole, rt. hon. S. H.
Welby, W. E.
Wethered, T. O.
Williams, Sir F. M.
Wilmot, H.
Winn, R.
Wise, H. C.
Wynn, C. W. W.
Wynn, Sir W. W.
Yarmouth, Earl of

TELLERS.

Barttelot, Colonel
Sackville, S. G. S.

REGISTRATION OF DEEDS, WILLS, &c. (MIDDLESEX) BILL—[Bill 36.]

(*Mr. George Gregory, Mr. Cubitt, Mr. Hinde Palmer, Mr. Goldney.*)

SECOND READING.

Order for Second Reading read.

Mr. G. B. GREGORY, in moving that the Bill be now read the second time, said, its object was to abolish the Office for the registration of deeds, &c., in the county of Middlesex. The present Registration Office, he said, consisted of two Registrars—the office of the third being at this moment vacant—who were appointed by the Lord Chancellor and the Chief Justices of the Supreme Courts, a deputy registrar, and minor official. It was contemplated at the time when the Office was established that the funds which would be received would be sufficient to defray the expenses of it; but, in fact, the amount had risen far beyond what was contemplated. The income amounted in 1866 to £12,500, out of which the Office expenses amounted to £3,100 odd. The balance was divided among the Registrars, the actual share of each being, in 1866, £2,368. These

Registrars were, in fact, absolute ciphers, and their duties were entirely carried on by the deputy registrar. So much was this the case, that the present Chief Justice had refused to fill up the third and vacant appointment. Moreover, so far from the Office proving beneficial, it had proved the very reverse—it embarrassed rather than facilitated the transfer of real property. Land in Middlesex had become so much subdivided that a search had become absolutely impracticable, and it was almost impossible to identify property when the name of the owner was found in the registers. All legal practitioners were desirous that the abolition of the Office should take place at once and entirely. Its abolition had been strongly recommended also by the Commissioners on Land Transfer, who declared the Office to be simply a source of trouble and expense to the vendors and purchasers of property. He proposed by the Bill that deeds and wills executed after January 1, 1871, should cease to be registered; but it was necessary that the Office should be kept going for searches affecting titles commencing before that date. He proposed that the fees receivable in future from the Office should be paid into the Consolidated Fund. According to an estimate taken he found that these fees would amount to £1,100 a-year, which would provide ample funds for carrying on the duties of the Office. He was prepared to give the Registrars compensation for the abolition of their office to the extent of three-fourths of the fees — not which they had received, but which they were entitled to receive—for the Registrars had, in fact, exacted fees which they were not legally entitled to exact, according to the construction of the Act of Parliament. He hoped to have an opportunity of suggesting a scheme for facilitating the transfer of land during the present Session; but the present Bill was a fitting remedy for the evils of which he had complained.

Mr. LEEMAN said, that having experience of a similar system of registration in Yorkshire, he could not understand how the registration of deeds in Middlesex should have been permitted to fall into the state described. The registration in Yorkshire, which he believed was very similar to that in Middlesex, worked well, and to the full satisfaction of the landed proprietors of the three Ridings. Property in the large towns of Yorkshire—for instance, in Leeds and Bradford, was as much subdivided as in Middlesex, and no difficulty had been experienced in the working of the registers. The proper remedy for the abuses complained of was the reformation, not the abolition of the system. If this Bill was passed there was danger that it would be taken as a precedent, and that the registers of Yorkshire would be abolished too, and he protested against that being done. The hon. Gentleman had given an answer to his own Motion in his concluding remarks, that before the present Session was ended a general Bill would be introduced for the consideration of the whole question of land transfer. He objected to such legislation being proposed by a private Member, for surely it was the duty of the Government to undertake a matter of such importance. At present, in Yorkshire nobody could mortgage his property without the fact being within reach of the public, which gave the most perfect security to property.

Mr. GOLDNEY said, that the necessity of searching these registers for notices of mortgages was an evil which the two counties of Middlesex and York had inflicted on the whole community. The registration had been instituted to enable the citizens of London to ascertain that the titles of property on which they lent money were unencumbered; and the people of Yorkshire, who were interested in similar matters, finding that the plan worked well in Middlesex, adopted a similar plan for themselves. But it was for no benefit of the general community that these registrations took place, and great difficulties had arisen through them—to such an extent that many persons refused to incur the expense and inconvenience caused by making the necessary searches, and preferred to run a risk instead. The present Bill was a step in the right direction, giving greater freedom of action in the transfer of property. If the Middlesex plan of registration had been a good one, it would have been followed in other counties; but it had not been so followed, and instead of doing good it had done a great deal of harm.

Mr. COLLINS said, he did not care what course was taken with regard to the registration of deeds in Middlesex, but he had a strong objection to passing a Bill of this kind, if it was intended to serve as a precedent for a similar measure in regard to the registration of deeds in Yorkshire. The present system was a great safeguard, and enabled many persons to lend money when otherwise they would refuse to do so.

THE ATTORNEY GENERAL stated that the Government intended to deal with the subject of the transfer of land, with a view to the simplification of the process. A Bill in reference to the matter was introduced in the House of Lords last Session; but the Government were unable to proceed with it at that time. However, if there should be any reasonable prospect of carrying the Bill in the present Session, it would be brought in again—at all events, it would be introduced, if not in this Session, at an early period in the next. The object of the Bill was to establish a new registry in accordance with the recommendations of the Land Transfer Commission of last year, with the view of simplifying the proof of titles, and of making as easy and cheap as possible the transfer of land. That Commission reported against the Middlesex Registry, and therefore, that system in its present shape, must be regarded as doomed; but it would be expedient not to abolish the existing system until something was prepared to be substituted in its place. The Bill of the Government would establish a registry for the whole of the kingdom, and the House would have an opportunity, upon the introduction of that Bill, of considering whether the Middlesex Registry should not be absorbed in the general registry. If the present registry were abolished before another was substituted for it, the officers must be compensated; whereas, if its abolition were delayed until a new registry was proposed in its place, the services of the officers might be utilized. He thought the hon. Gentleman in charge of the Bill would do well to be satisfied with the assurance that the matter was under the consideration of the Government. At any rate, he could not assent to the second reading of the measure except upon the understanding that it should not be further proceeded with during this Session.

MR. JESSEL thought it desirable that the Bill should be read a second time, for though, to his great credit the Lord Chief Justice had not filled up a sinecure office in connection with the Middlesex Registry, because he thought that it would not be to the public advantage to do so, there would be no security for the future against an appointment to such an office being made, unless the sanction of the House was given to the second reading of the present measure. In that case no one would afterwards venture to fill up the sinecure. Both branches of the legal profession were unanimous in condemning the existing Middlesex Registry.

MR. G. B. GREGORY said, that he would take the second reading on the understanding that the Committee should be fixed for a distant day.

Bill read a second time, and *committed* for *Wednesday* 28th June.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 2nd March, 1871.

MINUTES.]—PUBLIC BILL—*Committee—Report* —Pauper Inmates Discharge and Regulation (16).

PAUPER INMATES DISCHARGE AND REGULATION BILL.—(No. 16.)

(*The Earl of Kimberley.*)

COMMITTEE.

House in Committee (according to Order).

Clauses 1 to 3, inclusive, *agreed to.*

Clause 4 (Certain paupers may be detained in the workhouse for limited periods).

THE EARL OF KIMBERLEY said, that at present a pauper could discharge himself from the workhouse on giving reasonable notice. It had been found desirable to give Poor Law Guardians larger and more definite powers over inmates who were in the habit of leaving the workhouse in the morning and returning at night. Such powers would, no doubt, require to be exercised with due discretion.

Clause *agreed to.*

Clause 5 (Discharge and detention of casual paupers).

THE DUKE OF CLEVELAND said, that there were cases in which vagrants entered the workhouse for the night, but did not ask for or require food.

This clause seemed to prevent such persons leaving the house at an early hour of the morning.

THE EARL OF KIMBERLEY said, that vagrants who entered the workhouse under such circumstances would have no right to demand their discharge; but it would be in the discretion of the guardians to permit them to leave without performing any task.

THE DUKE OF RICHMOND said, he regarded the clause as one of the most useful in the Bill.

Clause *agreed to.*

Clauses 6 to 8, inclusive, *agreed to.*

Clause 9 (Guardians to provide proper casual wards, and failing to do so not to be entitled to repayment from Parliamentary grants).

THE EARL OF CARNARVON said, that by this clause the Poor Law Board would have power to require the erection of separate cells for vagrants. Now, he agreed in the desirability of giving the Board power to insist on suitable wards and furniture, and in large towns separate cells might be desirable; but it would be preposterous to cast on rural Unions so enormous an expense as would be involved in the erection of them.

THE EARL OF KIMBERLEY explained that the clause gave general powers, and that the Poor Law Board, as far as he understood, had no intention of requiring in all cases the erection of separate cells. It was desirable in many cases to have distinct rooms, so that the honest wayfarer might be separated from the worst class of tramps; and he thought there was no fear of this general power being abused.

THE MARQUESS OF SALISBURY regarded this as a question of giving the central authority power of increasing the rates *ad libitum.* In the case of large towns there was no fear of injustice, for these could always make themselves heard, and would certainly make any Minister who imposed any oppressive burden repent of his imprudence; but rural Unions might suffer a great deal of injustice. Moreover, the President or Secretary of the Poor Law Board did not take the trouble to look into insignificant cases, leaving them to the Inspectors; and to give Inspectors powers of imposing heavy taxation was to give them a considerable power of oppression. He should support his noble Friend if he divided against the clause.

THE DUKE OF RICHMOND hoped his noble Friend (the Earl of Carnarvon) would not divide the House, for he could not conceive that the Board would ever oblige rural Unions to erect a cell for every separate vagrant. As he understood the clause, its object was simply to enable the Board to insist on proper wards being provided for vagrants.

THE EARL OF CARNARVON consented to reserve the point till a future stage. In the interim, he would consider whether words might not be introduced into the clause to meet the object he had in view.

THE EARL OF KIMBERLEY reminded the noble Earl that it would be impossible to make a distinction between rural and urban Unions, as the former in some cases were visited by a large number of tramps. The object of the Bill was not to increase the expense of vagrancy, but to diminish it, for which purpose it was essential to give the Poor Law Board the power of insuring uniform treatment throughout the country.

Clause *agreed to.*

Remaining clauses *agreed to.*

Bill *reported,* without Amendment; and to be read 3ª on *Tuesday* next.

EAST INDIA FINANCE.—QUESTION.

LORD LYVEDEN asked the noble Duke the Secretary of State for India, If he intended to move for a Select Committee on East Indian Finance? The noble Lord said that in putting the Question he desired to make a few observations on the subject. Last Session, as President of the East India Association, a body composed of gentlemen who had been in India or were in some way connected with it, and had continued to circulate information upon it, he was asked to move for the appointment of a Committee of their Lordships on the subject; but he replied that he did not think that the best mode of dealing with the subject. He thought that a Commission on India would be better; but that such a step might appear an affront to the Governor General, and Lord Mayo, as far as he had been able to observe, had fulfilled his duties with great ability and public advantage. More recently there had been a rumour that if a Committee were moved for in the House of Commons the Government would not object, and there was afterwards a proposal from the Government for a Joint Committee of both Houses. This proposition, however, had been abandoned, on the ground that their Lordships were not entitled to inquire into the subject of Indian finance. If not, what were their Lordships to inquire into? He had never heard of a more extraordinary objection. Their Lordships were often reproached with idleness; but this enforced idleness arose from a want of business whereon to exercise industry. Surely there was no question which they were better fitted for dealing with than Indian finance? Indian finance stood upon an entirely different footing from English finance. The objection to their altering Money Bills—namely, that taxes should only be imposed by the representatives of the people — did not apply to Indian finance, which was not regulated by the Imperial Parliament at all. If, moreover, India was indirectly represented in Parliament, it was in this House rather than in the other. The noble Duke (the Duke of Argyll) had on two occasions submitted to their Lordships, with great ability and usefulness, the Indian Budget — a step which obviously was no less open to objection than the consideration of the subject by a Committee. In the House of Commons there was at present a great dearth of Indian authorities—Sir Stafford Northcote being absent, and there being very few Gentlemen Members of that House who had been at the India Office or who had applied themselves to Indian affairs; whereas in this House there were on the opposite side two noble Lords who had been Secretaries of State for India, the Earl of Derby and the Marquess of Salisbury, as well as two on the Ministerial side, Viscount Halifax and the noble Duke himself (the Duke of Argyll). Above all, there was Lord Lawrence, than whom no man could be better fitted to deal with such a subject; yet he was to be excluded on account of the fanciful notion that it would infringe the privileges of the House of Commons. That a man could be as useful as a witness as a member of the Committee he denied, for there was a great difference between the presence on the Committee of a well-informed man, who could examine the witnesses, and the examination of that man as a witness by Gentlemen not conversant with the subject. It cast a ridicule on our institutions that so desirable a measure as the appointment of a Joint Committee should be set aside through political pedantry, on the ground that their Lordships were not to interfere with the finances of any part of the Empire. Considering the number of noble Lords who might usefully apply themselves to a subject of so much difficulty—which even a statesman of such grasp of mind as Lord Ellenborough had confessed his inability to master—he would ask the noble Duke, whether it was not advisable to appoint a separate Committee in this House, a step which need not be regarded as at all antagonistic to the Commons' Committee?

THE DUKE OF ARGYLL, in reply, said the suggestion of a Committee had not emanated from Her Majesty's Government, for they saw nothing special in the state of Indian finance to call for inquiry; but during last Session, in a discussion on the subject, the Government intimated that if any considerable section of the House desired an inquiry, they would not stand in the way of it. This Session a considerable number of Members, not entirely satisfied by an early day being given to the Indian Financial Statement, still wished for a Committee, and the Government had accordingly to consider how the inquiry could be best carried on. A Joint Committee of both Houses was suggested not by himself, but by the other Members of the Government. He entirely approved it — for it was a mistake to suppose that there was any jealousy on the part of the India Office on the subject—and communicated personally with several Members of both Houses. He was glad to find that the idea met with general approval, and that some of the most distinguished Members of this House acquainted with Indian finance were willing to serve on the Committee. Such a step, however, required the general consent of all parties; and, on the matter being discussed in the House of Commons, it did not appear to meet with general acquiescence. The proposal of a Joint Committee had, consequently, been withdrawn. He did not think an inquiry was very urgent, and thought the appointment of a Committee of their

Lordships, contemporaneously with the Commons' Committee, would have an appearance of jealousy and antagonism. He entirely concurred with his noble Friend that it was a total mistake to regard this House as being in the same position with regard to Indian as to Home finance. The House of Commons represented the taxpayers of this country, but not the taxpayers of India, and their Lordships were as much entitled as the House of Commons to deal, if necessary, with Indian finance. Should any suggestion emanate from the Commons' Committee, of which the Government or their Lordships might doubt the propriety, it would be their Lordships' duty to institute a full inquiry before passing any measure founded upon it.

DULWICH COLLEGE.—COMMISSIONERS OF ENDOWED SCHOOLS.—QUESTION.

The Earl of HARROWBY inquired, with regard to Dulwich College and the Commissioners of Endowed Schools, 1st, Whether the Governors of Dulwich College gave notice to the Endowed Schools Commissioners of their intention to propose a scheme under the powers reserved to them for that purpose, and whether they have not failed hitherto to bring forward any such scheme; 2dly, Whether the Endowed Schools Commissioners are themselves preparing a scheme, and, if so, when it is likely to be made public?

Lord LYTTELTON, as President of the Commission, replied that Dulwich College was one of those foundations, the Governors of which, under the Endowed Schools Act, were allowed a certain period—in this case 12 months—within which they might prepare a scheme for the government of the school, the powers of the Commissioners being meanwhile suspended. If that privilege was acted upon, and a scheme drawn up and submitted to the Commissioners, from which they dissented, the Commissioners would prepare another, and both would be submitted to the Education Department of the Privy Council. Notice had to be given of such an intention within two months of the passing of the Act—namely, 2nd of August, 1869. The Governors of Dulwich College gave the notice with regard to the lower school, but they had not prepared a scheme. This did not imply any blame, as it was common for Governing Bodies to give notice in order to secure their position, that they might act upon it if they thought it desirable. It was a matter, moreover, of little importance, as both the Commissioners and the Education Department were bound to give due consideration to all schemes or suggestions from whatever quarter they proceeded. It now devolved on the Commissioners to prepare a scheme; but a dozen Commissions would have found plenty of work, and there being only one it was obliged to proceed by districts. Its duration was limited to three or four years, but a much longer period would be necessary to complete the work, and the renewal of the Commission would rest with Parliament. Dulwich College, as one of the very largest endowments, did not come under the rule of the Commissioners to deal with particular districts in turn, and he admitted the desirableness of its being dealt with as early as possible. He trusted that the Commissioners would very soon be able to do so.

House adjourned at Six o'clock, till
To-morrow, half-past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 2nd March, 1871.

MINUTES.]—New Members Sworn—Nathaniel Buckley, esquire, *for* Stalybridge; Major George Arbuthnot, *for* Hereford City.

Select Committee — Westmeath, &c. Unlawful Combinations, *appointed.*

Public Bills—*Ordered—First Reading*—Petit Juries (Ireland)* [61]; Local Government Supplemental* [63]; Metropolitan Commons Supplemental* [62].

Second Reading—West African Settlements* [57].

Committee—Ecclesiastical Titles Act Repeal [27], *discharged.*

ARMY (SYSTEM OF RETIREMENT).

QUESTION.

Colonel BARTTELOT asked the Secretary of State for War, Whether there is not a Report made by actuaries upon the cost of carrying out the recommendations in detail contained in the Report of the Committee upon Army (System of Retirement), July 1867; and, if so, whether he will lay such Report upon the Table of the House?

MR. CARDWELL: Sir, a Report upon the subject was laid before Parliament in 1868, and a further Report was made at a later period, which has not been presented; but the actuariesin form me that its substance, in a much improved form, is to be found in their evidence before the Committee on Ordnance Retirements last year, which has been laid upon the Table.

ARMY—BRONZE FIELD GUNS.

QUESTION.

MR. OSBORNE asked the Secretary of State for War, Whether the manufacture of new Bronze Field Guns, adopted last year by the War Department, has lately been abandoned, and on what grounds?

SIR HENRY STORKS replied that the manufacture of bronze guns had been temporarily suspended in consequence of certain defects in the casting of these weapons, the causes of which defects were being investigated by a Committee, but had not yet been ascertained. In the meantime, wrought-iron guns with steel tubes were being manufactured.

MR. OSBORNE: Are they muzzle or breech-loaders?

SIR HENRY STORKS: They are muzzle-loaders.

ARMY EDUCATION—SONS OF MILITIA OFFICERS.—QUESTION.

LORD CLAUD HAMILTON asked the Secretary of State for War, Whether, in carrying out the proposed more intimate relations between the Regular Forces and the Militia, he will grant to the sons of officers of the Militia the same educational advantages as are now enjoyed by the sons of officers of the Army and Navy, in the form of a reduced rate of charge at the public military academies?

MR. CARDWELL: The permanent Staff of the Militia now enjoy the advantages referred to. How far it may be possible to extend them to Militia officers who are not also officers of the Army is a question which it would be premature to decide. Those who are also Army officers will be in the enjoyment of them as Army officers.

ARMY—VOLUNTEERS IN THE MILITIA.

QUESTION.

MR. SIMONDS asked the Secretary of State for War, Whether he is aware that in some cases the same men are returned on the effective strength of both Militia and Volunteer regiments; and, if he is, whether he has any objection to obtain a Return showing the number of such men?

MR. CARDWELL: It is contrary to regulation that any man should belong to both forces, and the Inspector General of Reserve Forces is not aware of any such case. If he was, he would at once order the man's discharge from the Volunteer Force.

IRELAND—FISHERIES.—QUESTION.

MR. M'CARTHY DOWNING asked the Chief Secretary for Ireland, Whether it is the intention of the Government to carry into effect the recommendations of the Select Committee on Irish Fisheries of 1867, as well as those contained in the Report of the Inspectors of Irish Fisheries for 1869, and the recommendations of the Commissioners dated the 13th of August 1870, recently published for the improvement of that branch of industry?

THE MARQUESS OF HARTINGTON, in reply, said, the recommendations contained in the Reports referred to by the hon. Member had been under the consideration of the Irish Government. The last Report, that of the 13th of August, 1870, had only just been issued, and therefore there had not yet been time to give it the attention which it deserved. There was one point in connection with the subject now under the consideration of the Law Officers of Ireland, and when they gave their opinion upon, it it was his intention to communicate with the Treasury, to ascertain whether any further assistance should be given to the Irish fisheries.

EDUCATION—BUILDING GRANTS TO SCHOOLS.—QUESTION.

MR. HICK asked the Vice President of the Council, Why it is made a condition in new schools that, in order to be entitled to a building grant, they should not exceed twenty feet in width; and, since it is found both inconvenient and difficult to comply with such condition, whether he would be disposed to modify it?

Mr. W. E. FORSTER replied that the condition referred to was determined upon by the Council after very considerable inquiry, and was the result of all the knowledge which they had acquired by means of their Inspectors. The width fixed upon was the same as that adopted for the practising schools used in the training colleges. Under these circumstances, he could not hold out any hope that the condition would be modified, for two reasons—first, as building grants were now coming to an end, there would be scarcely time to make any alteration in the condition; and, secondly, as it was believed that it was an advantage to have schools of the width indicated in the hon. Member's Question, the Council, who paid so much per square foot, could not undertake to pay public money for space which they regarded as being unnecessary.

EDUCATION—ELEMENTARY SCHOOLS. QUESTION.

Lord ROBERT MONTAGU asked the Vice President of the Council, What will be the necessary durations of the morning and afternoon meetings of an elementary school, seeing that the instruction in religious subjects is to be given at the beginning or end, or at the beginning and end of each meeting; and that attendance at a morning or afternoon meeting may not be reckoned for any scholar who has been under instruction in secular subjects less than two hours; why a pupil teacher may not teach for more than five hours each day; and, whether this rule applies to half-time schools; and, if so, whether he has considered that in half-time schools the effect may be that the pupil teachers will be withdrawn while some of the children are still at school?

Mr. W. E. FORSTER, in reply to the first Question, said, the Education Department would not attempt to fix the duration of the attendance at the schools, provided that the condition was complied with to give at each meeting two hours for secular instruction. The managers must decide for themselves at what time they would open the schools, and how much time they would appropriate to religious instruction. In reply to the second Question, he begged to state that the reason why the Education Department had said that pupil teachers were not to be employed in teaching more than five hours daily was because they thought that time, in addition to the two hours the pupil teachers had to study themselves, was as much as could be expected from boys of that age. He was obliged to the noble Lord for calling his attention to the half-time schools, and he would consider whether a supplementary Minute could be issued on the subject.

CHINA — DESTRUCTION OF CONSULAR BUILDINGS AT SHANGHAI.—QUESTION.

Colonel SYKES asked the Under Secretary of State for Foreign Affairs, Whether accounts have been received of the destruction of the Consular Buildings and part of the Records at Shanghai; whether the Fire Insurance Policy had been allowed to run out; and, what will be the pecuniary loss to the British Territory in consequence?

Viscount ENFIELD: Sir, Reports have been received both from Her Majesty's Consul at Shanghai and from the Acting Judge of the Supreme Court, announcing the total destruction, on the 24th of December, by fire, of the Consulate, a part of which was also used for the purposes of the Supreme Court. The fire is believed to have been purely accidental, and to have resulted from too close proximity of the beams of the flooring to a fireplace. The building was one of the earliest in the settlement. Owing to the rapidity with which the fire spread, only a few of the more important consular records—such as registers of births, marriages, and deaths, Board of Trade accounts, ships' registers, and other records connected with shipping—could be saved. The title-deeds and registers connected with the tenure of property in the settlement were also saved. A large portion of the records of the Court, a considerable part of the library, and all the records of causes heard since 1865 were saved. The iron safe belonging to the Court, and containing wills and other valuable documents, was extracted from the ruins, and its contents, though damaged, are legible. Most of the furniture of the Consulate and Court and the rest of the books and archives were destroyed. The latter were not of any real importance. Little damage was done to any part of the new buildings in course of construction. Arrangements have been made for carrying on the work of the Consulate and the Supreme Court. The policy of insurance on the buildings expired on the 15th of December, in consequence of instructions issued at the request of the Treasury, who decided in the beginning of last year to discontinue the insurance of Government property in China and Japan. No estimate of the pecuniary loss incurred has been received at the Foreign Office.

POST OFFICE—TELEGRAPH GUIDE.

QUESTION.

MR. BROGDEN asked the Postmaster General, If it is intended to publish a List of Telegraph Offices in the United Kingdom, showing the hours that each office is open for the receipt and transmission of Messages, with other information necessary for the guidance of the public, in the British Postal Guide or in any other form?

MR. MONSELL: The publication of a Telegraph Guide giving information of the kind referred to by my hon. Friend formed part of the original scheme. It has not been thought advisable up to the present time to issue it, as the additions which we have made to the system from week to week during the past year have been so numerous that a Guide published at the commencement of each quarter would have become inconveniently inaccurate at a very early period of that quarter. Now, however, the system is fast advancing towards completion, and it will shortly be possible to issue the Guide.

LICENSING BILL.—QUESTION.

MR. ASSHETON CROSS asked the Secretary of State for the Home Department, Whether he can give the House any assurance that he will be able to introduce his Bill on the Licensing of Houses for the Sale of Intoxicating Liquors before Easter?

MR. BRUCE said, in reply, that it was the present intention of the Government to introduce the Bill before Easter, and there was nothing in the state of Public Business to lead him to suppose that the intention would not be carried into effect.

STAMP DUTIES—MAGISTRATES' ORDERS.—QUESTION.

MR. CORRANCE asked the Secretary of State for the Home Department, Whether it is in consequence of instructions issued to the Clerks of the Peace for Counties "That Magistrates' Orders for the payment of penalties, according to the Stamp Act 1870 (33 and 34 Vic. c. 97), are to be held liable to a stamp," so that if the defaulter does not pay the county will be rendered liable to the above charge?

MR. BRUCE, in reply, said, no such instructions had been issued either from the Home Office or the Treasury, and he thought it highly improbable that they had been issued from any other Department of the Government.

WESTMEATH, &c. UNLAWFUL COMBINATIONS.

MOTION FOR A SELECT COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [27th February], "That the Question then proposed,

> 'That a Select Committee be appointed to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same,'—(*The Marquess of Hartington,*)

—be now put."

Previous Question again proposed, "That that Question be now put."—(*Mr. Serjeant Sherlock.*)

Debate *resumed.*

COLONEL WILSON-PATTEN: Sir—Up to the moment at which I rise to address you, I have entertained a hope—not to say an expectation—that in the interval which has elapsed since I moved the adjournment of the debate on the subject now under consideration, Her Majesty's Government might have been induced to re-consider their course with regard to the Motion of the noble Lord the Chief Secretary for Ireland, and to withdraw it. I am quite sure that I speak the sentiments of many hon. Members of this House, by no means confined to party, when I say that if Her Majesty's Government had found it within the sphere of their duty to take the course which I have indicated, their decision would have met with the approbation of a very large body of hon. Members in this House, and with that of a still larger body of persons outside its walls. I think, further, that the Government would have been able to do this with a strict regard to their own dignity, and to the interests of the nation. But the House not having received any such intimation, I shall proceed very briefly to state the views which I entertain not only with regard to the Motion itself, but with regard to the circumstances on which it is founded. I must first express the very deep regret — the disappointment, the surprise — with which I heard the noble Lord the Chief Secretary for Ireland give Notice of the Motion now before the House. That feeling of surprise was by no means confined to myself; I have a confident belief that there are very few Members, except those enjoying the strictest confidence of Her Majesty's Government, who were not taken equally by surprise with myself. The circumstances under which the Motion has been brought before us are very peculiar. It was made within 10 days of the time when Her Majesty's Government — in possession of all the facts and all the details connected with the atrocious outrages which have been committed in Westmeath, and knowing the difficulty, and their means of grappling with it —had advised Her Majesty in her gracious Speech from the Throne to use expressions with regard to Ireland calculated, to say the very least, to dispel from the minds of everyone the notion that within 10 days this House would be called upon to suspend the laws of the country in order to deal with a state of things only incidentally alluded to in the Speech. It may be that I entertain strong views; but my opinion is, that it was the duty of the Government, if they intended to enact very stringent laws with regard to Ireland—and especially if it was their intention to suspend the Constitution—it was their duty to inform the country in the usual manner by means of the Queen's Speech. I will not impute any improper motives to Her Majesty's Government; indeed, as my wish is to induce them to withdraw their Motion, I shall endeavour to avoid saying anything likely to place an additional obstacle in the way of their doing so; but I repeat it was the duty of the Government to follow the usual forms and precedents, and to notice so serious an infringement of the law and Constitution in the Speech from the Throne. So far from imputing improper motives, I think I see a not altogether unnatural reason why the Government, which has, during the last two years, been prophesying that the remedial measures they had themselves propounded would bring about a speedy amendment in the condition of Ireland, should have felt some hesitation in stating, through the medium of the very first subsequent Queen's Speech, that their anticipations had not been realized. But, Sir, let me say, in passing, that having listened to the speeches of the noble Lord the present Chief Secretary for Ireland and of the right hon. Gentleman the President of the Board of Trade (Mr. Chichester Fortescue), I am not quite sure what the exact present state of Ireland really is. They are the only two Members of the Government who have addressed the House on the subject, and they are by no means agreed in the views they take of the condition of the sister country. The right hon. Gentleman the President of the Board of Trade having taken an active, intelligent, and able part in the discussions on the remedial measures which have been brought forward in the last two Sessions, entertains, perhaps, an exaggerated opinion of the benefits likely to accrue to Ireland from those measures; and I think, therefore, that a little exaggeration may be pardoned. What does he say? He used these words—"It is perfectly well known in Ireland that we have succeeded beyond expectation" — and some interruption having occurred, he added—

> "I know what I am speaking of. At no time within memory has Ireland been so prosperous, so calm, so confident of the future, so contented, so loyal as she is at the present moment."

And this he attributes to the remedial measures brought in and passed by the present Government. I am not going to dispute that point, and I only hope it may be so, notwithstanding the rather discourteous remarks with which the right hon. Gentleman accompanied the statement, and to which I shall hereafter more particularly refer; but I may be allowed to doubt the accuracy of the statement, and whether any prosperity that may exist in Ireland is yet to be attributed to those measures. I am fortified in this opinion by the speech of the noble Lord the Chief Secretary for Ireland. With the candour which, from long and intimate acquaintance with him, I know to distinguish my noble Friend in private life, he is unwilling to attribute any improvement in the state of Ireland to causes which he does not really believe to be the real ones. The noble Lord said—

> "I do not wish the House for one moment to believe that I attribute this great improvement—for a great improvement it is—to that course of remedial legislation which it has been the pride of this side of the House to initiate during the two last Sessions of Parliament. I am aware that we have had in operation during the present winter the Peace Preservation Act, which conferred on the Government powers considerably exceeding those ordinarily in the hands of the Government; but I claim for the Government the credit of having used both the ordinary and the extraordinary powers which have been placed in their hands with vigour, firmness, and decision. . . . We have in every disaffected part of the country prosecuted the most vigorous searches for fire-arms, which have resulted in a large number of them having been taken from the hands of the disloyal and criminal classes. The constabulary force has been augmented in every disturbed district; experienced detectives have been employed; . . . . constant patrols have been established wherever, in the opinion of the constabulary, they could be of advantage, and the Attorney General and the Crown Solicitor have been instructed personally to undertake every case. . . . At no time within the recollection of any Member of this House have the powers of the law been more vigorously, and at he same time more impartially, executed."

And then the noble Lord, fearing that his observations should be considered to apply to Westmeath alone, added these words, "and all these measures have been still more strictly carried out in the county of Westmeath." After hearing these two opinions as to the causes of the altered state of things in Ireland, I think I am justified in entertaining some doubts as to what that state is, and to what it is to be attributed. But, be that as it may, there can be no doubt that amid all this tranquillity, whether brought about by the remedial measures alluded to by the right hon. Gentleman the President of the Board of Trade, or by the measures of repression enumerated by the noble Lord the present Chief Secretary for Ireland, there exists a state of things which the noble Lord himself avows to be perfectly intolerable. There is in Ireland a small tract of country—I may almost term it a fortress of Ribandism, which sets the Government at defiance, and its garrison carries murder and rapine uncontrolled through a whole district. This fortress is more successful than those of Metz, Strasburg, or Belfort. In them the French were able to resist the Prussian arms for a few months; but this garrison has set the whole power of the Government at defiance, and that not for a few months, but for a whole year; and I believe that, at the moment at which I am addressing you, this garrison is in triumphant possession of their fortress, and is still setting at defiance the whole force of the Empire. Under these circumstances the Government come to Parliament—as I think they are perfectly justified in doing—for additional assistance. My right hon. Friend the Member for Buckinghamshire who sits beside me, and I believe every Member of the House, is ready to give to Her Majesty's Government every increased power which they could ask. But, on the other hand, so far as we are concerned, we are determined to oblige the Government if we can to adopt such energetic measures to repress these crimes as the gravity of the case requires. We do not differ from Her Majesty's Government as to the necessity of their having the power of repressing these crimes; but we differ from them with regard to the mode in which they have determined to proceed. It seems to us that the method they have adopted is the wrong one. It may have been my particular bad fortune, but I can say, with the greatest possible truth, that from the moment my noble Friend introduced this Resolution to the House, I have not met a single individual, either in the House or out of it, who does not look upon the course of Her Majesty's Government with regret—I had almost said, with reprobation. I am not sure that I quite understood my noble Friend with regard to the alterations he proposes to make in the Resolution before the House. But, first of all, let me say that I believe there is no necessity whatever for a preliminary inquiry by a Committee of this House. As to precedents, the Government have a precedent of their own in what occurred last year. Last year, without any preliminary inquiry, they proposed to this House the enactment of the Peace Preservation Act, and it was agreed to by the House without their insisting on a previous investigation. That was a measure which in England would be looked upon as unconstitutional, and they proposed it for all Ireland, and not merely for one district. I know it may be said that that Act was a mitigation of a former Act which had been formerly passed by this House. But surely, in point of principle, it is the same. Before the House proceeded to continue, even in a mitigated form, an Act which was about to expire, surely it was of as much consequence that the House should have some information, as it was that it should have information before the Constitution was originally suspended. I do not think that my noble Friend succeeded in convincing the House—at any rate he did not succeed in convincing me — that this Committee was rendered necessary by any one of the reasons which he adduced in support of his Motion. My noble Friend said the Government wanted information. Now, what information could the Government want? I speak from a very small official experience of the Government of Ireland. I was there for a very short time; but that short experience enables me to say that the Government are always in possession of information which it is not in the power of any Committee of this House to obtain. They have means at their disposal which insure to them perfect and accurate knowledge of everything that occurs in every part of Ireland. How is it possible for any Committee of this House to obtain information which the Government cannot obtain? My noble Friend said that he thought some magistrates of Ireland would, if a Committee were appointed, come forward to give information. Why, does my noble Friend mean to state to the House that the magistrates of Ireland are not doing their duty? If they are not doing their duty take them off the Bench at once, to whatever party they belong. I will not stand up for any magistrate, though he belongs to my own political party, who, in such circumstances as these, refuses to assist the Government by all the information in his power. Does the noble Lord require information as to the nature of the transactions with which we have to deal? That can hardly be. The whole organization of Ribandism is perfectly known to the Government; at any rate, it is the fault of the Government if they do not know it. More than that — it is known to others out of the Government. I very much doubt whether any of the Members of this House, who have read the publications of the day, can be ignorant of the terror which that conspiracy inspires, or of the atrocities of which it is guilty. In my opinion, all of us have sufficient information to grapple with the difficulty. But, more than that— I say it with some little confidence — I cannot say it for a certainty—but my belief is, that the Government know even the individuals of whom the organization is composed. I believe that all that the Government requires is additional power to grapple with those individuals, and to crush out crime. I say that it was the duty of my noble Friend, or of the head of Her Majesty's Government, to ask for powers to deal with those individuals—to take those powers and to execute them. I do not mean to argue that, under certain circumstances, there would be anything singular, unusual, or unconstitutional in a Government applying to the House for a Committee of Inquiry, as a preliminary to legislation; but, I can see no possible excuse for such a proposal on the present occasion, when it can result in nothing more than delay in obtaining an increase of those special executive powers, which the House granted last year in no stinted measure, when it consented to the Peace Preservation Act. In regard to the Resolution, I have said that I do not quite understand the manner in which my noble Friend proposes to deal with this Resolution. There are words in it which imply that Her Majesty's Government intend to make use of this Committee to relieve themselves of the responsibility which naturally attaches to them. The noble Lord disclaims such intention. I will accept any disclaimer on this, or on any other subject, that the noble Lord may make—I am acquainted with him well enough to know that he would not willingly deceive the House on this or on any other subject; but he must excuse me when I say that the country generally —naturally and justifiably — will attribute to these words the meaning they carry on their surface, and will regard this Resolution as an attempt on the part of Her Majesty's Government to shirk the responsibility which attaches to them. This Resolution justifies all the imputations which we have heard made —that one of the objects of the Government, in moving for this Committee, was to get rid of the responsibility that attached to them — a responsibility which may possibly be painful to them because, in the discharge of their duties, they would have to contradict and falsify a number of prophecies which they have made with regard to the future condition of Ireland. I think my noble Friend said that he was prepared to modify that part of the Resolution to which I refer. If I stood alone in my opposition, I would say "No!" to the Resolution as long as the words I have referred to are contained in it. Those words justify every imputation that has been brought against the Government. There is nothing too strong to say with regard to those words. I say they are wrong in principle, and more than that, if they are allowed to remain they will form a precedent for any other Government which wishes to shuffle off its responsibility, and throw that responsibility upon the House of Commons, instead of fulfilling its duty. I do not pretend to know what course the House of Commons will take, but, at any rate, those words ought to be struck out of the Resolution. I wish to impress this on the Government: I cannot disguise from myself that the Government are placed in a very difficult position. They have taken a step which I think they must regret. I cannot help believing that they regret it. Everybody else does. Their best friends do, and my object is still to entreat them to re-consider the step which they have taken; there is yet time to withdraw this Resolution. I wish to impress upon my right hon. Friends opposite what importance is to be attached to the course which they are about to take. I wish to ask them whether the adoption of this Resolution would not place the House in a rather humiliating position? Is it not, to begin with, humiliating to see the Government applying for exceptional powers for a small district of country, which, at the most, can only be said to be one county among the 32 counties, I think, in Ireland? But if it is humiliating to ask for extraordinary powers to deal with one county, is it not an additional humiliation to put into the Speaker's hand a Resolution in which the Government not only ask for additional powers, but admit that they do not know how to deal with the case, and call upon Parliament to advise them how to act? This Resolution, which is so humiliating, will be read, not only by the people of this country, but by the world at large. What must be the opinion of foreign nations at such a transaction? I have been careful to say nothing to add to the difficulties of their position. I would implore them to reconsider the course they have taken. I am quite positive that a reconsideration of this subject would afford gratification to a much larger party than the Government think. The withdrawal of the Resolution would enable us to appear before the world, and especially before Ireland, with a united front determined to put down crime. It would prevent any misunderstanding which, I think, it is quite possible there may be, if unfortunately we shall be driven into two different Lobbies on the Resolution before the House. That is a consideration which I press strongly upon the right hon. Gentleman at the head of the Government. If we present a united front we shall be able to put down crime much more efficaciously than if we have party divisions, and I implore my right hon. Friend not to undertake the responsibility of causing party divisions on a matter of such great importance. Before I sit down I may be allowed to make a reference, as I said I would in the early part of my observations, to the speech of my right hon. Friend the President of the Board of Trade. The right hon. Gentleman, in expressing his opinions, which he did in a very fair manner and which he was perfectly justified in doing, seeing the active part he has taken in the legislation with respect to Ireland, accompanied his remarks with a most uncourteous and improper accusation against hon. Gentlemen on this side, when he attributed to us that we took pleasure in the failure of the Irish policy of the Government. No doubt, we carry on our party conflicts in this House always with a good deal of excitement, sometimes with more acrimony than on calm consideration we might think justified. But it is the positive duty of Members sitting on this side to criticize the acts of the Government, and it often happens that we are obliged to express ourselves in language which might not be considered over courteous. In the case now before the House we may be allowed to entertain a doubt whether the legislation with respect to Ireland has been so successful as my right hon. Friend declares it to have been. Assuredly we may be allowed, in a mode usual to the Members of this House, to give utterance to this conviction in monosyllabic expressions without being taunted by my right hon. Friend with a feeling of positive pleasure at the failure of the measures of Her Majesty's Government. We have no such feeling. I can only say for myself — I have said it before, and I repeat it now—that the pacification and tranquillization of Ireland must be to me, as I believe it to be to every Member of this House, of the greatest possible importance. We may differ about the way in which it should be done, we may think that certain measures have not been quite successful; but this I will say, that whatever Government is in power, whether that of my right hon. Friend who sits opposite, or that of my right hon. Friend who sits beside me, or that of a Minister more lucky than either, whoever shall succeed in bringing tranquillity to Ireland, the result will be hailed in no party spirit, but with an united expression of pleasure and delight from Members on both sides of the House. I should feel that a debt of gratitude was owing to that Minister, a debt not exceeded by that due to any person that ever held the reins of government in this country. I thank the House for the kindness with which it has heard me, and I again entreat my right hon. Friend to withdraw from the position which he has so unfortunately taken up.

Mr. GLADSTONE: Sir, it is undoubtedly refreshing in a debate of this kind, so warmly coloured in certain cases by the infusion of the language of party, to listen to my right hon. Friend (Colonel Wilson-Patten) who, in the speech that he has made, has exhibited that temperance of tone, and that uprightness of intention, from which we all know he would be the last man to depart. Therefore any recommendation coming from him is entitled to the most respectful and candid consideration. The recommendation, however, which he has now made to us is one which unhappily is too much at variance with our sense of public duty, and with what we consider to be our knowledge of facts, for us to adopt. But, following my right hon. Friend immediately, I will endeavour to lay clearly before the House the reasons upon which that decision is founded. I have said that in previous portions of this debate, its language has been highly coloured by the imputations and feelings of party. With respect to the speech of the right hon. Member for the University of Oxford (Mr. G. Hardy) where he described murder as "stalking abroad," and Government as "becoming contemptible," to him it may appear that forcible language means forcible ideas, but to me it appears that language so heated, and so little in proportion to the nature of the case as that which he employed, cannot possibly raise in those who are the objects of it, anger and excitement, but rather creates a sentiment of regret when they find a Gentleman who has been, and may again be, responsible for the home police and government of this country, given to allow his feelings to attain such a sway over his judgment in dealing with a case in which the strict maintenance of a calm temper is so desirable. When I come to the speech which followed that of my noble Friend (the Marquess of Hartington), the speech of the right hon. Member for Buckinghamshire (Mr. Disraeli), I must employ different language of description. The right hon. Gentleman delivered—and it was very natural that he should—a speech, of which the obvious intention was partly to dispose of the question at issue, and partly to turn it to account in illustration of the errors of our Irish policy and of the wisdom of his own. I do not complain of the right hon. Gentleman. I think it was almost a necessity for the right hon. Gentleman to do so. The right hon. Gentleman says, and says truly, that we stand at issue upon the most vital questions—that he, and those who act with him, and we, and those who have honoured us with their confidence, stand at issue upon the most vital questions as to Ireland before the country and before the world. I quite agree with the right hon. Gentleman on that point. Nay, I am going to compliment the right hon. Gentleman in certain respects upon the moderation of his language, for he has toned it down immensely since 1868. He told us, indeed, that our Act had "legalized confiscation, and consecrated sacrilege." Well, Sir, but these are very moderate expressions from a right hon. Gentleman who, when he had originally to describe, as a responsible Minister, the measure which we proposed with regard to the Church of Ireland, was not satisfied with "confiscation" and with "sacrilege," but could find the true exposition of his ideas in nothing but "foreign conquest," and told us deliberately from his place that the consequences of that measure would be more formidable and destructive than those of foreign conquest. Therefore, I am very glad that we have got down to expressions so moderate and judicial as that we have "legalized confiscation, and consecrated sacrilege." Well, Sir, we are not ashamed of the measure the right hon. Gentleman has thus described; we abide by it as a politic and wise measure, as a just and therefore a Christian measure. Then the right hon. Gentleman told us in his speech—" You have condoned high treason." Neither are we ashamed of the steps we have taken in that respect. What we have done is this—we have acted upon the principle which we have invariably recommended to every other country in Europe —we have acted upon the principle which every truly civilized country in the 19th century has never hesitated to act upon —and that is, that a political crime, when it has ceased to be dangerous, and when suffering has been undergone, should be treated with the utmost leniency. Well, the right hon. Gentleman went on to offer remarks which I will presently notice; but let me now refer to the basis upon which my noble Friend (the Marquess of Hartington) placed this measure, and in which I desire to identify myself with him. My noble Friend stated that the condition of things which prevailed in the county of Westmeath ought not to be, and in the view of the Government could not be, endured; that we must apply some remedy to that state of things; that we intended to lay the facts of the case before a Committee, and to invite its assistance in the full establishment and elucidation of those facts; and that then we should, on our own responsibility, propose what we thought the best and most suitable remedy, even if that remedy should require us to proceed further than we proceeded last year in the restraint and limitation of personal liberty, and of the ordinary rights of the Constitution. These were the plain statements of my noble Friend in the early part of his speech, and which formed the basis of the rest. Then it is supposed that my noble Friend went on to announce fundamental alterations in the nature of his proposal, and that these alterations were two. In the first place, that as his Motion had been framed, he asked the House, through its Committee, to take upon itself the responsibility of advising Her Majesty's Government with regard to this state of things. I would point out that the speech of my noble Friend at any rate contained an antidote to that misapprehension; because he did state at the very outset that the Government desired to take—as it is their absolute duty to take—the whole responsibility of proposing the necessary remedies. With regard to that point of the case I believe we are at the present moment involved in a technical and formal difficulty. The hon. and learned Member for the King's County (Mr. Serjeant Sherlock) has proposed what is called "the Previous Question." The effect of that Motion would be, at all events, to prevent my noble Friend from removing from his Motion those words which he has declared were intended exclusively for the purpose of giving scope and breadth to the examination of witnesses; because we think that the witnesses ought not to content themselves with merely describing the existing evils, but that they should also be encouraged to express their opinions upon the whole state of the case, upon the sufficiency of the present remedies, and upon the nature of any others that might be substituted for them. Those opinions of witnesses, in our view, are parts of the facts of the case. But my noble Friend, understanding that there will be no difference of opinion upon that subject, is perfectly ready to remove words which, in his view, will then be mere surplusage, and therefore I trust that my hon. and learned Friend the Member for the King's County will withdraw his Amendment—at all events for the time—in order that, consistently with the rules of the House, the Motion of my noble Friend may be amended in that respect. As respects, therefore, one of these leading propositions, the change which has been made by my noble Friend is willingly and freely made to meet the desire which has been expressed; but so far as the intentions of the Government are concerned it implies no alteration whatsoever. The other change made by my noble Friend is that which has reference to the secresy of the proceedings of the proposed Committee. On that point I will enter into the question of precedents by-and-by; but I wish now simply to define that which he has declared on the part of the Government. The intention of the Government is to bring, as far as lies in their power, the whole of the facts of the case under the view of the Committee; and, so far as their own officers are concerned, there can be no difficulty whatever in taking them before an open Committee—that is to say, a Committee open to the whole world, and whose proceedings are conducted with the intention of publishing the evidence which may be obtained. But the Government anticipate if not as an absolute certainty, yet as highly probable, that the Committee may reach a point where valuable evidence might be got from persons who are accurately informed with respect to the subject of the inquiry, but who still would not venture to give evidence unless they were protected against its publication. That is the nature of the dilemma which appears to me to have been overlooked by many hon. Gentlemen who have spoken on the other side of the House; and what I wish to be understood is that, while we are willing to give up the proposal that the Committee should should sit with doors closed, the key of our proceedings should be found in this —that if we find we cannot obtain the evidence which is necessary to the full elucidation and establishment of the facts of the case without the protection of secresy, we shall have no hesitation in making it an Instruction to move the Committee to send its Chairman to the House to ask for powers by which that secresy may be secured. [*A laugh.*] I am sorry if there be any hon. Gentleman who thinks that a full investigation of the case ought to be surrendered for fear of any supposed odium that may attach to evidence given in secret to Members of this House sitting in Secret Committee; but there can be no mistake about this—that, if we should find it necessary for the full elucidation of the facts to restrain the publication of certain evidence, or even entirely to exclude other Members of the House from the committee-room, we shall deem it our duty to ask for the powers which may be required to attain that object. So much for the nature of our proposal; and let us now look for a moment at the state of the case. My right hon. Friend who has just spoken (Colonel Wilson-Patten) seems to have great difficulty in understanding what is the condition of Ireland according to the view of the Government. He said—"I am not quite satisfied as to what state that country is in." Perhaps I am stating the case rather too favourably, for I think he said—"I think I am justified in entertaining some doubts as to what that state is, and to what it is to be attributed." But to me it appears that the two statements made on the part of the Government to which he has referred are perfectly consistent one with another. My noble Friend the Chief Secretary for Ireland described the vast improvement which had been effected in the state of the country. "But," he said, "I am not going to claim exclusively for our legislation of a remedial and beneficial character," to which he afterwards referred, "the merit of having effected the great improvements in the social condition of Ireland," of which he was speaking. "I admit that the stringent powers which have been placed in the hands of the Government under the Peace Preservation Act are of the utmost value, and thus it is that two processes have been in operation together to produce the same result." The fact is—that the Peace Preservation Act has enabled the Government to repress the outward signs of discontent, while the beneficial legislation of Parliament has gone to the hearts of the people with its healing and soothing influence, and is performing for the distant, as well as the immediate future, that permanent work which it was its main object to accomplish. ["Oh!"] That statement is met with jeers by hon. Gentlemen opposite, and it is no wonder that when such a statement of opinion is so met my right hon. Friend the President of the Board of Trade should have been led the other night to comment on the apparent unwillingness which exists on the other side of the House to admit that the measures of the last two Sessions should prove to be beneficial in their operation on the condition of Ireland. I do not claim their approval of those measures; but I do claim, on my own part, and on the part of the Government, as well as of the vast majority of the Members of this House, whose character is completely locked up in the legislation of last year and the year before, the right of holding and expressing the view of its action to which I have just given utterance. The main point, I may add, on which my right hon. Friend who has just spoken (Colonel Wilson-Patten) appears to join issue with us is this. He assumes, in the first place, that we have it in our minds to suspend the Habeas Corpus Act in Ireland, and he asks us, therefore, not to go through the intermediate process of a Committee, saying that he is perfectly ready to support us in proposing the suspension of that Act. Now, with all respect to my right hon. Friend, who tells us he knows all about the state of things in Westmeath himself, the willingness to support us in such a policy, which he announces not only for himself, but for those who sit near him, cannot free the Government from their own conviction of that which duty demands. And let me, before I go further, say a word with respect to this question of the state of Westmeath—because we have heard much in the course of this discussion about the failure of our policy in Ireland. Now, my right hon. Friend who has just sat down, at all events, does not seem to share in that view, for he tells us that, with respect to 31 counties, there was no such allegation to make; while, as to the consequences of our policy, we never expected that they would be fully developed in the short period of two years. We are, however, perfectly satisfied with the state of those 31 counties as an answer to the right hon. Gentleman the Member for Buckinghamshire, when he endeavours to set up against the measures which we have passed that policy which he has recommended—a policy of feeble tampering with landlords, and of all sorts of endowments for all sorts of religions. "But then," says the right hon. Gentleman, "how ridiculous, how humiliating it is that you should come to this House to find the means of governing a county." I do not at all see that the course which we ask the House to adopt is open to that charge. It appears to me that if in a particular locality any evils present themselves in the condition of its society, so deep and inveterate in their character, that the existing powers, in the opinion of the Government, are inadequate for the suppression of them, the natural and legitimate course to pursue is to come to Parliament. We have found it necessary to come to Parliament for the purpose of dealing with particular individuals, but we did not ask for a Committee in that case because the facts were patent, while in the present instance they are not; and that being so, we do not think it exactly in conformity with the true action of a Constitutional Government to ask the House to grant, without inquiry, fresh powers further infringing on the liberty of the subject. ["Oh!"] I hope I may be allowed to comment on the tone which has pervaded the speeches of hon. Gentlemen opposite on this subject, and I own I am astonished at the manner—I will not say the levity, though that word has been used in this debate—in which they seem to contemplate the suspension of the Habeas Corpus Act in reference to the suppression of ordinary crime. ["Oh!"] I mean by ordinary crime, crime as against individuals as distinguished from offences against the State—a distinction which is perfectly well understood; and I contend it is the duty of the Government not to arrive at such a conclusion, as the suspension of the Habeas Corpus Act in the case of ordinary crime, until it has investigated and probed to the very bottom the whole of the facts, and, moreover, until it has placed Parliament in possession of all those facts in a manner far more effective than such information can possibly be conveyed in any speech. My right hon. Friend who spoke last has, I may observe, fallen into one of the most extraordinary errors of statement that have ever saluted my ears. He says—"The powers which you are going to ask for are the same as those which we have heretofore granted." Now, in the first place, my right hon. Friend does not know what powers we are going to ask for. We have not said that in our opinion the Habeas Corpus Act ought to be suspended. If no other effective remedy can be found we must not stop short of that; but we will not even trust ourselves to come to the conclusion that a step so serious as the suspension of the Habeas Corpus Act is necessary, until the evidence before us is far more effectually sifted. But, beyond that, my right hon. Friend is entirely in error. Powers to suspend the Habeas Corpus Act in Ireland have never been given in reference to ordinary crime. The case is entirely new. It is a case, I grant, far more grave than in former instances in one respect, because we are dealing with a chronic evil; and because it is an innovation to ask for the suspension of the liberty of the subject with a view to the suppression of ordinary crime. I am afraid this 19th century, for whatever else it may be distinguished, is not remarkable for that firm intellectual grasp of the first principles of political liberty which was so great a characteristic of our forefathers. Am I to be told by my right hon. Friend, one of the fairest and most moderate men in the House, that a Bill such as he invites us to introduce——

COLONEL WILSON-PATTEN: I did not recommend the suspension at all.

MR. GLADSTONE: At all events my right hon. Friend stated that he was perfectly willing to vote for it.

COLONEL WILSON-PATTEN: I said I was perfectly ready to give the Government additional powers.

MR. GLADSTONE: My right hon. Friend used the words—"powers which the House granted last year in no stinted measure." What does he mean by that expression? Does he mean the suspension of the Habeas Corpus Act? It is because we do think the liberty of the subject something more than the shadow of a name, and it is because we do attach some sanctity to personal and private rights, that we are not willing to put before the House of Commons any request which might ultimately involve an invasion of those rights, until we have also put the grounds of that request under the scrutiny and review of the House of Commons itself. The case is totally different from other cases of the suspension of the Habeas Corpus Act, even if we had made up our minds, and we have not, that the suspension of the Habeas Corpus Act was justified by the facts before us. It is easy, comparatively, to do what we did in 1866. In that year numbers of foreigners came into the country; large seizures of arms were made; multitudes of facts of a positive character that could be stated, in a clear and distinct form, were at our command; they were stated; and the House of Commons acted upon them. But that is not the character of the present situation. "Murder stalking abroad!" It is all very well to use this exaggerated language in the heat of debate; but what said my noble Friend? He stated that there had been four murders, and four attempts at murder, in Westmeath and its immediate neighbourhood. Is that a reason, taken by itself, against the proposal of the Government? I put this question to the House with the utmost seriousness and earnestness—because the right hon. Gentleman, with a lofty estimate of human nature, did not hesitate to say that the self-love of the First Minister was the basis of the present proposal. Sir, the self-love of the First Minister wants no consolation. The First Minister is perfectly satisfied with the results of recent legislation in Ireland. But I want to point out the state of this case with reference to the character of the proposal that we now make. What we have now got to exhibit is not a set of positive facts shown in statistics that would warrant any proposal for another and further invasion of personal liberty. The four murders, and four attempts at murder, which are the statistical facts of the case, combined especially with the great decrease of other agrarian outrages, do not justify any such proposals as have received the sanction of the opposite Bench. ["Oh!"] I mean, of course, in the judgment of the Government. I am not endeavouring to cheat hon. Gentlemen opposite out of their liberty of judgment, but I am saying that, in our view, these figures of murder, and attempts at murder, do not justify a general invasion of the private and personal liberties of the inhabitants of this portion of Ireland. Then, what is the nature of the case that we want to produce? We want to show not the acts which are done, but the acts which are not done. We want to show the invasion of private liberty in detail. We want to show the form which the transactions of private life take as between man and man. Hon. Gentlemen opposite think it is easy to come to this House and report these things as we have received them from the officers of constabulary, and then ask the House of Commons to interfere with the Constitution. In our opinion it is not so easy: it is a case which must be established precept upon precept, line upon line; and the House of Commons, in our judgment, would forfeit its duty, would betray its character as a truly popular representative Assembly, if, upon the mere statement of a Minister, with regard, not to statistical facts on which he might, perhaps, fairly claim their confidence, but to allegations necessarily general, they were willing to accept his statement in a manner so implicit as to place the liberty of every inhabitant in an Irish county at the disposal of the Lord Lieutenant. My right hon. Friend (Colonel Wilson-Patten) says that our means of obtaining information are much larger than those of a Committee. I entirely differ from my right hon. Friend. We have means of obtaining information which a Committee has not. But all that information will pass from us to the Committee. On the other hand, a Committee has means of obtaining information which we have not, and that in two senses. We cannot, by any authority of our own, summon before us the inhabitants of Westmeath, receive their testimony, and cross-examine them upon the subject marked for inquiry. It is in the power of a Committee to do so. It is in the power of a Government to do it through the medium of a Committee. My right hon. Friend says we have the information which magistrates can give. I ask him, does he think the information of a magistrate, conveyed in secret to the constabulary, and by the constabulary to the Lord Lieutenant, and by the Lord Lieutenant to the Cabinet, is entitled to the same weight with this House, in considering the necessity for new legislation, as it would have if that magistrate had appeared before a Committee of this House, impartially constituted, and consisting of the ablest and most judicious of our Members, bringing to bear upon the question all the lights that their minds can supply, with the representatives of Ireland, and of popular principles in Ireland, sitting near to cross-examine him? We contend that the information, even if we could get the same information as to the range of facts, would be of totally different weight and authority, if it were thus gathered by the Government in their secret chambers, from that which it would possess where it had passed under the review and scrutiny of a Committee of this House. And now with regard to precedents. Here, again, my right hon. Friend is under an entire misapprehension. He thinks we have twitted hon. Gentlemen opposite. We have done nothing of the kind, unless by "twitting" my right hon. Friend means a reference to precedents. We merely referred to authority. I think it is a principle which Conservatives will not wholly condemn, and which Liberals will be well satisfied to pursue—I mean that of inquiry on the lines traced out by former usage, instead of putting so extravagant a confidence in their own judgment as to throw overboard everything done by their predecessors. Now, the precedents in this case are important. I will mention that of 1852. And here I cannot help "twitting" not my right hon. Friend, but the right hon. Gentleman (Mr. Disraeli) for his condemnation of his own conduct, and, above all, for the grounds on which he bases that condemnation. The case was this—In 1852 some portions of Louth, Armagh, and Monaghan were in a dreadful condition. Life and property were insecure. The right hon. Gentleman, then a Minister of the Crown, says he did not adopt what would have been the proper course, because his Government was weak in this House. Sir, a more astounding confession never was made by a Minister of this country. What! If there is a riot in Palace Yard or Trafalgar Square, is a Minister, weak in this House, to vary one hair's breadth from the course that is necessary for the security of life and property because of the unsatisfactory state of his majority? If the defences of the country are weak, and the number of troops insufficient, is a Government to make it an apology for departing from the first principles of duty that they sit upon this Bench, that they want to sit upon this Bench, and therefore cannot propose measures which, in their opinion, principle justifies, and the safety of the country demands? That, and nothing else than that, is the declaration in which the right hon. Gentleman has handed down to posterity his opinion of his own conduct in 1852. Sir, I do not take so severe a view of the conduct of the right hon. Gentleman. I do not understand that on that occasion he made no recommendation to the Committee; but I am willing to assume that there was good cause for it. It seems to me that there was nothing improper in the course then taken—that of inviting the assistance of the House by means of a Committee moved for by an important Member of the Government. The presumption was that that Member of the Government would conduct the proceedings before the Committee, as I have no doubt he did with much ability, and the proposal was, as I contend, a perfectly normal one. It was not the proceeding of a minority. There was a majority in this House as well as a minority, and the majority declared their assent and approval to the appointment of the Committee. I do not know, therefore, why it should be supposed that nothing but a depraved and fastidious self-love has set the present Government upon taking this method of proceeding. I am not afraid of going even further back. Now, with regard to secresy. There are many modes in which Parliament effects this object. Parliament sometimes requires absolute secresy, sometimes it imposes partial secresy. I am not entitled to speak on this subject with authority; but I believe, in the first place, the distinction between a Secret and a non-Secret Committee consists absolutely and solely in this—Members of Parliament are entitled to enter the committee-room if it is not a Secret Committee; they are not entitled to enter if it is a Secret Committee. But I also presume that a Member of Parliament entering a Committee-room, where the investigation was of a nature involving risk to the lives of witnesses if their evidence were divulged, would go beyond his rights, and incur a very heavy responsibility, were he to take upon himself without authority to publish the nature of that evidence. Another course is occasionally taken by this House, and that is, by withholding or suppressing the evidence it has taken, reserving it for the use of the Committee alone, or not publishing it at all. There is another course we have sometimes taken—that of suppressing evidence after it was taken. In 1837-8 I was a member of a Secret Committee upon West India apprenticeship, and, unless my memory greatly deceives me, portions of the evidence, with names, places, and dates in blank, were printed for the use of the Committee; but this evidence was never printed for the use of the House at all. All that, when the matter ceases to be a party question, is settled by the practical common sense of the members of the Committee. Now, do not let hon. Gentlemen be astonished if I go back to the precedents of what are called "bad times." I shall boldly appeal to the precedents of 1812 and 1817, and I ask the House, if those times were bad, not to make these times worse. It may be said these were bad times, and therefore we will take no notice of what was then done. That would be to me the most left-handed method of reasoning it is possible to adopt. If the years I have named were bad times, why were they bad times? It was because the House of Commons was too subservient, and the Ministers were not sufficiently confiding; because there did not exist that freedom of communication, and that union of action in matters affecting popular liberty, which there ought to have been between the Ministers and this House. Yet in those times, when the Government of Lord Liverpool had strong proposals to make, involving the invasion of personal liberty, they would not do so without laying the evidence on which they relied before a Committee of the House. If, then, the Members of the present House of Commons distinguish themselves from the Members of the House in those days, it ought to be by showing themselves to be not less, but more ready to take on themselves the responsibility of forming a practical judgment in a case of this kind, and, if necessary, of checking, as representatives of the people, the statements and allegations which the Government may think it their duty to bring forward. The precedents I have referred to not only warrant the proposition of a Committee, but *à fortiori* require that such a course should be taken by the Government, and that they should ask the countenance and approval of the House. Some people will, perhaps, say it is a deplorable fact that after your remedial policy you now ask for stronger powers than you possessed before, or, at least, confess that the weaker powers have failed. I, for one, am not prepared to allow, and my Colleagues have at no time asserted, that the state of Westmeath at this moment, taken all in all, is worse than it has been in many former years. We do not found ourselves on that allegation. I will not even for myself presume to say that it is worse than it was 12 months ago. But we do say that the state of Ireland, and of the Government of Ireland, is, and has been—I am speaking of the Executive Government necessarily — in many respects defective, and even deplorable. The Government have been obliged to wink at a state of crime or intimidation which, in well-governed countries, is intolerable. What we think is this—in proposing remedial legislation we conceive that we come under new obligations as guardians of public order, and owe a more strict and solemn duty to public order than when there were great causes of grievance on the statute book. It is not so much because we assert that the state of Westmeath is now worse than in former times that we propose a Committee of Inquiry; but it is because we think that the state of Westmeath is a disgrace to a civilized country, that we are of opinion its condition demands the attention of Parliament. We have received by telegram a statement from the foreman of the grand jury assembled at Mullingar. I do not know whether the words are his, or those of the grand jury; but it appears that they support the allegation in the Motion with respect to the existence of an unlawful combination and confederacy—they do so from their own experience, and from the evidence coming before them in cases now brought forward at the assizes. Our duty will be to lay before the Committee all the evidence we can obtain bearing on the case. I have received from a Member of this House a letter written to him by a large landed proprietor in Westmeath, referring to a conversation he had with another landed proprietor, in the course of which they both expressed opinions as to the evils existing, and of the remedy that might be adopted for their prevention; but to the question whether the statement could with safety be made public, the answer was that in the opinion of the writer it could not. Therefore, evidence of that kind might be had if the tendering of it did not entail personal danger. The right hon. Gentleman opposite has asked —What is the Committee to do? If the words in which we have framed our Motion are justly open to censure or criticism, I admit that we might have indicated more clearly and distinctly the purposes to which the attention of the Committee would be directed. As to the question—What is the Committee to do? I will answer that question in two words—because I want to draw a broad distinction between the collection and elucidation of facts, and the responsible duty of making recommendations founded on those facts. In the collection and elucidation of facts we have exhausted the means properly in our hands as an Executive Government; and we believe we might obtain valuable aid from the House of Commons; and we think that the House of Commons, through the Irish representatives, will prove a salutary check on our proceedings. We think that the powers which this House possesses can be exercised in a perfectly salutary way as a check on our proceedings, by testing and scrutinizing our facts, and it is for this reason that we ask for the assistance of a Committee. But let us consider what these facts are. There can be no difficulty in perceiving what kind of facts it will be our duty to bring before the consideration of the Committee. First of all, there will be all that class of negative evidence which will go to establish what we believe to exist—namely, an extensive system of terrorism, supported, in case of need, by personal violence. But, independently of that, there is another matter which we should wish to examine by aid of the Committee, and that is, how have the Government used the powers given them under the Peace Preservation Act? Seeing that Parliament last year intrusted us with large stringent powers, and seeing that we declare that still more stringent powers are required in reference to the state of Westmeath, is it not right that the House of Commons should inquire whether or not we have neglected properly to use the powers given us? My hon. Friend the Member for Cork County (Mr. Downing), in the most frank manner, raised an issue, which I admit to be the true issue on this occasion—for I think that on the other side the House an entirely false issue has been raised. My hon. Friend asked whether the Government have fully used the powers given by the Peace Preservation Act? How is it possible for us not to listen to the appeal involved in the question of my hon. Friend? Are you to take for granted that we have done all that we ought to have done? Is our conduct such as to induce an implicit belief that we have put in force the powers of the Peace Preservation Act of last year? I must say that there is another question which it is important for us to examine, and which it is very difficult for the Executive to examine adequately. It is the helplessness and inaction of society in Westmeath. Now, why is government easy in this country? Not, God knows, from want of criminal elements amongst the population, but from the vigorous and healthy tone of social life, which makes men of whatever class an ally of the law. Unfortunately, that is not the case in Ireland; nor do I venture to blame those to whom that observation would apply. But, supposing we do arrive at the conclusion that powers beyond the ordinary limits of the Constitution are required by the condition of Westmeath, there is another most important question lying in perspective which no party imputations, and no party cheering, can in the slightest degree help to solve. When you say you are ready to vote for the suspension of the Habeas Corpus Act, does that mean that you are ready to vote for it until Ribandism has ceased to mark the county of Westmeath? Are we to enter into a race of obstinacy and perseverance with these criminals? Is it to be renewed from time to time? Are we to continue, from time to time, to teach all other members of society to rely entirely upon our innovations upon the Constitution—never to look to themselves—never to assist the law? Sir, I must say a graver subject than this cannot possibly be opened. It is one of those subjects not only as respects the proposal now to be made, but as respects what is to follow that proposal, with reference to which duty not only permits, but requires us, to exchange counsels and advise with the freely-elected representatives of England. There is no want of employment for the Committee, even if it were merely to consider the evidence supplied by the constabulary; a scrutiny by Members of Parliament into the mere question of the efficiency of the constabulary as agents of the Administration would be a most efficient aid and check to the operations of the Government on this point. I admit that if my hon. Friend (Mr. M'Carthy Downing) were the only man in this House who challenged us to show that we have used the powers conferred by the Peace Preservation Act, I would say—as it is impossible to give him within the compass of a speech such an answer as would convince him that we have—that we wish to begin our proceedings with the fullest exposition of the facts we possess, and to add to them by inviting all who can assist us to give us all the information in their power. And we would do this in order to get his vote, because we know him to be a man who can withstand popular disapprobation, and overcome popular misapprehension, as he showed last year in connection with the Land Bill, and in order to obtain that union of sentiment to which my hon. Friend adverted. For that very purpose it is that we want to begin our proceedings by a full exhibition of the facts of which we are in possession, by subjecting them to scrutiny, and inviting other information. That being the case, we lay our proposal, as a deliberate proposal adopted by us under circumstances of great gravity, before this House. We are convinced that it is impossible for the House to refuse us the assistance we ask. We have acted on the best investigation of the case we can make; we have acted in conformity with the precedents which former times afford us, modifying our strict adherence to precedent only so as to adapt our procedure to a more largely extended state of popular representation. Acting, as we do in this case, upon the immediate elementary obligations of a Government, at all hazards to secure personal peace and freedom in the transactions of life, we submit our proposal to the House, and we are confident it will receive the approval of its reflective and deliberate judgment.

Mr. CHAPLIN said, he could not refrain from addressing the House, for the explanations afforded by Her Majesty's Government with regard to the necessity for a Committee were eminently unsatisfactory. Unfortunately, he did not hear the first part of the speech of the right hon. Gentleman the First Minister of the Crown; but, judging from what he did hear, and from the speeches of the late and present Secretary for Ireland, he was totally unable to perceive what purpose was to be effected, or what evidence was to be derived from the appointment of a Committee which the Government were not able to obtain for themselves without such appointment. The Chief Secretary for Ireland, it was true, had suggested the possibility that if the Committee was a secret one a certain amount of valuable evidence might be obtained from persons who might otherwise withhold it. If that were so, and the Government could demonstrate that by means of a Secret Committee, and by that means alone, evidence could be obtained, and power could be placed in their hands sufficient to enable them to cope with the evils which unquestionably existed, he had no hesitation in saying that they would receive the support of every hon. Gentleman on that (the Opposition) side of the House. But the Government had made out no such case. On the contrary, so little importance did the Government attach to this evidence that the noble Marquess the Chief Secretary expressed his opinion that it mattered little whether the Committee was secret or not. He maintained that, so far as they had heard, there was nothing to justify the House in believing that the appointment of such a Committee was necessary for the suppression of the evils which now existed; and he was confirmed in that view by the fact that the Government themselves must already be in possession of evidence of the strongest possible character. It had been said that it would be no part of the duty of the Committee to suggest a remedy. The right hon. Gentleman (Mr. Gladstone) had studiously avoided telling the House whether the Government were prepared with a remedy or not. What he wanted to know was whether the Government were prepared with a remedy, or were they not so prepared? If they were, why not tell it to the House at once, and proceed to the application of remedial measures? If not, the Government had clearly abrogated the functions and duty of a Government in a manner which deserved the condemnation of the House and of the country. The Government had declared to that House that in one portion of Ireland the state of the country was such as to be absolutely intolerable; they had given harrowing descriptions of outrages which were stated be of daily occurrence; they had stated that a reign of terror existed universally in that part of the country; and yet, one hon. Member (Mr. W. H. Gregory), a warm and consistent supporter of the Government, had told the House that the police at this moment could lay their hands upon some of the authors of the murders which horrified the country, if they had but authority to do so. In spite of assertions like this Her Majesty's Government had no other remedy to propose than simply a recommendation for a long and protracted, and, to the people chiefly concerned, probably, a most perilous delay. When he listened to the statement made by the Chief Secretary the other night, and when he read accounts of the murders and outrages which had been perpetrated within the last few days, he was tempted to ask—"Whence come all this miserable vacillation, and by whom are these hesitating, faltering councils directed?" The Chief Secretary, in proposing the Motion, performed his task in a manner most unlike him; his manner evidently showed that the task he had undertaken was most uncongenial to him. To shirk responsibility was foreign to the character of his noble Friend. Why did not the Government come forward like men and frankly avow that, in spite of all their remedial measures, they were still unable to cope with the difficulties of Ireland, and upon this head demand the assistance that would be so readily given by the House? It was true that by that course they might have laid themselves open to taunts on both sides of the House, but that should have been no bar to taking a straightforward course. He certainly should vote against the proposition of the Government—he should do so in the hope of compelling them to revise their policy. If they would do that he could promise them that, instead of exposing themselves to that ridicule and contempt which their present proposal had universally met with, they would receive the cordial support of every man of honour and intelligence throughout the country.

SIR ROBERT PEEL: Sir, I am very glad that the right hon. Gentleman at the head of the Government has risen thus early and definitely explained the views of the Ministry upon this important subject; because, whatever doubts hon. Gentlemen who sit near me may have had as to the course which we ought to pursue with regard to the policy indicated by my noble Friend the Chief Secretary, we can have no doubt now. I think the House will agree with me that almost everyone who has spoken on this question—even including my noble Friend the Chief Secretary and my hon. Friend the Member for Galway (Mr. W. H. Gregory)—admits that this Motion is a great mistake. I am bound to say that, having listened to the statement of the right hon. Gentleman at the head of the Government, it is impossible not to give way to a feeling of sympathy for the Government on being obliged to come forward to make a Motion of this kind. I can understand a weak Government shrinking from responsibility in the midst of such a dilemma as that in which the Government finds itself, and concealing itself under such a Motion as this; but this is a Government which, above all others, has placarded its efficiency, particularly as regards Ireland; and I cannot help thinking it must be in a fair way to understand that it has signally failed to bring about that which, by the most extravagant legislation, it too fondly hoped to accomplish. I am bound to say, with my hon. Friend opposite, that I listened to the speech of the Chief Secretary for Ireland with a great deal of pleasure, for it was the speech of an honest man—it was the speech of a man who was saying that which he did not quite feel to be right. So honest was it that he convinced me that he did not approve the policy he was recommended to advocate. I understand that the Government intend to insist on this secret investigation; but I would say let them withdraw it. This is not the first time, even within the past week, that they have had to withdraw from a position they had taken up. A week ago there was a strong position taken up by the Government in favour of a Joint Committee upon Indian affairs; but so strong was the opposition of the House to such a defective scheme that they were practically beaten, and they had to withdraw from it. A few days ago they recommended this Secret Committee for Ireland, and I had since understood that the proposal was to be withdrawn; but now I understand from the right hon. Gentleman that it is not withdrawn. I would ask—I would implore somebody on the Treasury Bench to get up and say, in a plain, unmistakeable manner—not with a cloud of words, which it is really entertaining to listen to, but which fail to convey to the House what the Government mean to do—I would ask someone on the Treasury Bench to get up and state what the Government mean to do in this matter. I can well understand how my noble Friend the Chief Secretary for Ireland should have made use of these words—that he spoke with "feelings of dismal dismay." [An hon. MEMBER: Painful dismay.] I accept the correction; but it might have been "dismal dismay," seeing that the right hon. Gentleman the Member for Buckinghamshire told him to pluck up his courage and not be downhearted. But, after my noble Friend sat down, I was surprised to hear what fell from the right hon. Gentleman the late Chief Secretary. He directly, in words, contradicted the statement made by my noble Friend. Actually, after the speech of "painful dismay," and "the most difficult position" and "the intolerable state of things" in which my noble Friend found himself, up got the late Chief Secretary, and speaking in a whirlwind of official passion, which carried away nobody but himself—what did he say? The late Chief Secretary for Ireland said—

> "At no time within memory has Ireland been so prosperous, so calm, so confident of the future, so contented, so loyal as she is at the present moment."

Well, now, if that is a true picture of the state of Ireland, in God's name why come down here and insult our patience by asking for such an inquiry as this? Why do you placard Ireland at the bar of public opinion, and hold her up to the scorn of Europe as rife with assassination and murder? What did my noble Friend the Chief Secretary for Ireland say was the object of this inquiry? His language was very different from that of the Prime Minister. The Prime Minister founded himself entirely upon precedents. He said—"We are disposed to take our stand on the precedents of 1812, 1817, and 1818." He said—"We want the House of Commons to act as a check upon us." [An hon. MEMBER: The Irish Members.] Yes, we want Irish Members to exercise a salutary check upon us. Why, everybody in the country is trying to goad on the Government to show some spirit in its procedings. But why did my noble Friend ask for this inquiry? He said—"We don't want to evade responsibility; we do not even ask the Committee for a remedy; we merely ask the Committee to inquire into the best means of suppressing this state of things." Now, really, I pity the position in which my noble Friend the Chief Secretary finds himself when he has to make statements of this kind. He says he does not seek to evade responsibility, but merely that the Committee should consider the best means of suppressing this state of things in Westmeath. I think those words are now proposed by the Prime Minister to be omitted; but I do not think that at all alters the position of the case. Sir, I am one of those who think that the Motion is altogether a mistake—it is a bad Motion and ought to be resisted, particularly by Irish Members. I can hardly conceive that one hon. Member from Ireland would dare to go into the same Lobby with the Prime Minister. My noble Friend the Chief Secretary says, "We want to check Ribandism in Westmeath, Meath, and in parts of the King's County; but we do not want to fetter our action by any rigid line." Now, no doubt, he is perfectly right there, because anyone who has had any connection with Ireland knows that Ribandism is not confined exclusively to Meath, Westmeath, or the King's County. It has ramifications, as I know of my own knowledge, through various parts of Ireland—in fact, when I was in Ireland almost the only Province of Ireland comparatively free of Ribandism was Connaught. In Sligo there was the slightest taint of disaffection; but with that exception the Province of Connaught was almost entirely free from Ribandism. My noble Friend truly described the origin and organization of this most terrible society. Anyone who takes the trouble to read the Report of the Committee of 1832 will obtain a complete account of Ribandism, and Whiteboyism—another class of illegal societies. They are fully described there. But what surprised me in the statement of my noble Friend the Chief Secretary was when he alluded to the return of crimes committed in Ireland to justify this Motion. He says the number of agrarian crimes in January, 1870, amounted to 321; and the number of agrarian crimes in January, 1871, amounted only to 35. But surely that would hardly justify the Government in coming down and asking a Committee of this nature. What was the state of Ireland in 1837, at the time of Lord Melbourne's Government? Will the House believe it—such was the state of Ireland that, in the year 1837, the number of murders committed were 722—an average of nearly two a-day. In the county of Tipperary alone there were 124. Could the state of affairs be more formidable? What did the Government then do? They did not come down and ask for a Committee of Inquiry: but they proceeded to act—as I think they were justified in doing. I will take the county of Westmeath, the centre and hotbed of Ribandism. It contains a purely agricultural population. It is 30 miles long, and 40 wide. The population is of a very limited character. In that county there are 128 local magistrates. Do not tell me that if they were disposed to do their duty we should not need this inquiry. I do not blame them, because I know the terrorism that is exercised over them. But with a constabulary in Ireland amounting to nearly 13,000, costing this country nearly £1,000,000, including the expense of the stipendiary magistrates, it does appear extraordinary that the Government cannot blot out this taint from the county of Westmeath. I cannot help thinking there must be some under-current—some division in the Government in regard to this Motion. I am quite satisfied my noble Friend did not, of his own mind and determination, bring it forward. It certainly comes from some other source. I do not know how far the Vice Lieutenant of the county of Westmeath—a very great Radical by-the-by, and recently made a Peer, as a sop, I suppose, to the Liberal party—gave advice to the Government on the subject; but there must be some under-current or division in the Government in relation to it which has not yet been explained to the House. Now I want to point out to the House the position we are in, because the policy of the Government not only on this question, but on a great many others that come before us, exhibits a series of contradictions, of compromises, Commissions, and Committees that really are most perplexing. I have been in this House for now a quarter of a century, but never recollect a Government conducted on such principles before. Last year, as everybody admitted, was a Session of compromises; this year we have nothing but Commissions and Committees to inquire into different matters. Look at the contradiction in which the Government have exposed themselves in regard to the Church government of Ireland. Last year the Prime Minister, upon the plea of complete religious equality, and for the full development of civil and religious liberty, came down to the House and disestablished the Protestant Church of Ireland. This year that same Minister, under Royal authority, supports the spirituality of the Pope, who condemned as heresy these same principles of civil and religious liberty which the Minister takes as his guiding star in the conduct of affairs with regard to the Protestant Church of Ireland. I can recommend that point with confidence to the digestion of my hon. Friend the Member for Perth (Mr. Kinnaird). But mind—I do not ask him to write me a letter. Well, now I will take the other point. Take the Irish Land Bill. Just consider the position of Ireland with regard to the Land Bill. The right hon. Gentleman the Member for Louth (Mr. C. Fortescue), on his re-election the other day, told his constituents that he hoped the landlords of Ireland were beginning to understand the effect of the measure; and the right hon. Gentleman the Member for Limerick (Mr. Monsell), in a speech to his constituents, said it was merely a compromise, to be followed by other enactments. God help the Irish landlords say I; and if you want to know what the effect of the Irish Land Bill is, you can read in a few lines the opinion of one of the staunchest supporters of Her Majesty's Government. I hold in my hand the opinion recently given by the hon. Member for Kilkenny (Sir John Gray), whom I know of old when I was in Ireland as a must energetic and vigorous agitator. The other day he went to his constituents to speak to them about this very Bill, and what did he say? He said—

> "That the day the Queen's sign-manual was attached to the Bill converting its provisions into absolute law, property to the amount of over £70,000,000 sterling passed by that stroke of the pen from one side of the ledger to the other. The property which, the day before the Bill was signed by the Queen, was the property of the landlords of Ireland, became the day following—nay, the very instant the Bill was signed—the property of the tenantry of Ireland."

Is that a just act of legislation? Will that bring peace to Ireland? And now this year we have a Governmental policy of Committees and Commissions. We may, and I think we shall, have a very stormy Session—indeed, I think, the Government are preparing for it by shunting as much as possible of Public Business into Commissions and Committees. But of all the Commissions I ever heard of that which they proposed the other day was the most extraordinary. A first-class man-of-war with 500 souls on board foundered at sea. ["Question!"] It is the Question, as I shall show my hon. Friend below me. I am showing how the policy of the Government is a policy of Commissions and Committees. Last year their policy was one of contradictions and compromises, and we are asked this year to take everything into consideration through the agency of Commissions and Committees. A first-class man-of-war, with 500 souls on board, founders at sea. The Government shelters itself behind the responsibility of subordinates, and it appoints a Commission for the purpose—of what?—for the purpose of doing that which is the necessary effect of a Commission — namely, of "smothering the truth and of obstructing investigation and true inquiry." Those are not my words—they are the words of a man who has stood high in the estimation of this House. They are the words of Sir George Cornewall Lewis. However, I am not going to pursue this further. I merely refer to it to show that we are drifting into that policy of Commissions and Committees which I believe to be very objectionable, and to which I am sure the good sense of the House must be opposed. But, having said that, I want to say a word or two about Ireland—with which I had the honour of being connected officially as Chief Secretary longer than any man in this House, and, I believe, with one exception, than any man in this country. I want to ask the House and the country why is it that Ireland still presents such an anomaly to the world as it does? Ireland, blessed with a fertile soil, with very great advantages, capable of vast industrial development —why is it that she should present such an anomaly to the world? Why is it that she should be discontented and be rent by factions and disturbances as she is? For 70 years Parliaments and Governments have been endeavouring to deal with that country by all the contrivances they could propose, but they have never been able to eradicate the evils that exist. We had hoped when the present Government came into power two years ago that they would propose measures for the good of Ireland. They did propose two; but the one, in my opinion, rendered half of Ireland disaffected, while the other dissatisfied the whole of the population. The Land Bill unquestionably had that effect; and when it is calmly and fairly considered now, it cannot be said to be a measure beneficial to Ireland. But I would now refer to the expression which fell from the late Chief Secretary for Ireland. In alluding to what I have already quoted, he said that Ireland was confident in the future, that she was loyal, and that she was contented. I am bound to say I cannot think that Ireland is contented. I cannot think she is satisfied. I do not think your policy—the policy of this country for 70 years—has been what it should be for Ireland; and I would recommend a plan which might, perhaps, be preferable. I want to make a suggestion to the House and to the country. Why should not the House of Commons give an estate in Ireland to the Prince of Wales? Why should not the heir to the Crown go to Ireland occasionally? The Irish people know nothing whatever of Royalty—nothing whatever of the influence of the Crown; and, I am bound to say, I think it would produce a most beneficial result if steps were taken for giving effect to a proposal of that kind. Now, Sir, I will not detain the House any more. I am obliged to hon. Members for having listened so patiently to what I have said, and I will merely refer once more to the statement of the right hon. Gentleman (Mr. C. Fortescue)—a statement which I heard with pain. He said there were some Members within these walls who hope to see the failure of the measures which the Government propose. Now, I am not one of those. I do not wish to see the measures proposed by the Government, and passed, fail. I hope to see the anticipations and apprehensions which I might have formed dispelled; but I do not want to see those measures fail in carrying out beneficial results for the welfare of Ireland. In common with every man who considers the state of Ireland, I do want to see Ireland contented; I do want to see her satisfied—and I feel convinced that you must adopt another policy from that which the Government have been pursuing for the last two years to attain such a result; and I do think—I do in my conscience believe—that if some such suggestion as I have thrown out as regards inviting a member of the Royal Family from time to time to visit Ireland were carried into execution—I do think it would recommend itself to the favourable judgment of this country, and I do believe that, more than anything else, more than all your Commissions, and your Secret Committees, and your crude acts of legislation, it would have the effect of enlisting in favour of Imperial interests the kindly sympathies and the generous hearts of the Irish people.

Mr. O'REILLY said, that it was with very great regret that he found himself constrained to oppose the proposal of the noble Lord the Chief Secretary for Ireland for the appointment of this Committee, as useless and as creating an evil precedent. He regarded it as useless, because he believed that it would not obtain any valuable evidence or any evidence that would bear weight. Those who had evidence of importance to give would give it without going before a Committee, and the only further evidence that would be obtained by hearing the witnesses in private would be stories of individual intimidation which must be worthless unless they were sifted. The justices of the peace and grand jurors of Westmeath would no more shrink from giving their evidence in public than they had shrunk from making in public the statements they had already made. Evidence, moreover, which was intended to lead to legislation which would command the confidence of the country and of right-thinking men in Ireland should be evidence which Parliament could weigh, and to which they could point as a justification for any cause which might subsequently be taken. In the case of political crimes, apprehended invasion, or open insurrection, the Government might be in possession of information which it was not desirable to disclose, because this would be giving information to the common enemy. But when the inquiry had direct reference to legislation which might affect the liberty of the subject, similar reasons could not be advanced for giving the evidence in private; for it was not merely the House of Commons, but the community which would be affected by the legislation, that it was necessary to convince. He had not shrunk from supporting measures of exceptional severity towards Ireland when these were proposed upon the responsibility of the Government, but he should shrink from supporting any measures resting upon evidence which could not be publicly adduced. According to the forms of the House, moreover, this evidence, though given in secret, would be without the sanction of an oath. As to the Riband organization in Westmeath, he had known that county for 25 years, and he had never known it free from the curse of Ribandism; and he admitted that when so much had been done to remove every cause of complaint in Ireland that strong measures of repression were justifiable in the case of exceptional crimes. But it was too much to expect that recent legislation would all at once eradicate an evil of ancient growth. For the county in which he himself resided, and for other counties with which he was connected, he could say that the legislation of the last two Sessions, and especially the Land Bill, had done much to promote and spread a feeling of trust in the justice of Parliament, and also a feeling of mutual confidence and content, which had already produced much good, and would produce more, in the repression of crime.

Sir HENRY SELWIN-IBBETSON said, he would not attempt to follow the right hon. Baronet the Member for Tamworth (Sir Robert Peel) in his endeavours to suggest means for conciliating the sister island; but he fully concurred with him, and with the noble Lord the Member for Liverpool (Viscount Sandon), in deprecating some expressions which, unfortunately, though, doubtless, unintentionally, fell from the President of the Board of Trade. The right hon. Gentleman said that there were many Members of the House who desired the failure of the measures proposed by Government with reference to Ireland. He believed that for those words there existed no justification whatever. For his own part, strongly as he had been opposed to the "remedial measures" of the last two Sessions, the moment they became law he wished as heartily as any Member of the Government could do that those effects which the Government anticipated might follow from them; and that sentiment, he believed, was shared by every Member upon that side of the House. He confessed that the course taken by the Government upon this question had much astonished him. He came down expecting that the noble Lord the Chief Secretary, in moving for this Committee, would have taken credit for the general success of their remedial measures, and would have told them that the greater part of Ireland was free from crime, and enjoying progressive prosperity; but that they desired to have their hands strengthened for dealing with one exceptional plague spot. Instead of this, the Government proposed to divest themselves of all responsibility, and to cast this on the shoulders of a Committee of the House. He had no wish to speak disrespectfully of Committees up-stairs; but they all knew what was meant by the action of a Select Committee. The inquiry, it was now understood, was not to be a secret inquiry. How could such an inquiry be expected in any way to strengthen the hands of the Government, when it was apparent that the evidence given by persons before the Committee, exposing the real state of things, might reach their own neighbourhood, in which their lives afterwards would not be worth an hour's purchase? He objected to a Committee, because he believed its action would be productive of delay. If the case was urgent—and the contents of the newspapers for the last two days were not re-assuring on that point—then action ought to be immediate, and the delay of weeks which must attend the action of a Committee was not a way in which the Government ought to meet the emergency. In giving a vote upon this question, he felt that he could not support the hon. Member who had moved the Previous Question, because by doing so he should be voting against all action in this matter. But when they came to the Motion itself, he thought the more dignified course for Members upon his side of the House would be to abstain from any action whatever in the matter, but to throw the responsibility entirely upon the Government. He believed the course the Government proposed to take was a wrong one; but, until those who sat on his side of the House could show a better plan, and undertake to carry it into execution—which was not likely in the present state of parties—they would best consult their own interests by not taking part in the vote on the question before the House.

Mr. MITCHELL HENRY said, it was with unfeigned reluctance that so soon after his entrance into the House he was compelled to request the indulgence of hon. Members while explaining the reasons for the vote which, in justice to his constituents, he was about to give. The part of the country from which he came (Galway) had been truly described by the right hon. Baronet the Member for Tamworth (Sir Robert Peel) as having never been tainted with Ribandism, or even with agrarian crime. Nevertheless, the people of that province took a deep interest in all that concerned other parts of the country. He thought it right, then, to state that Ribandism was not a crime of universal application in Ireland; it was a special and local blot very similar to the crimes which formerly occurred in Sheffield, and were known as Trades Union outrages. Many years ago Ribandism was regarded as a mode of revenging agrarian injuries; but recent legislation had worked a change in the light in which it was regarded by the people. No one who knew anything of the subject could doubt that the whole mind of Ireland had been changed by the legislation of the last two years. There was not a barrister practising at the criminal bar who was unaware of the fact that the heads of the Riband conspiracy were persons who were perfectly well known, and who had been conspirators all their lives. He believed that political conspiracy resembled dram drinking, and that those who had once indulged in it never ceased to require the excitement as long as they lived. The Riband conspiracy could not be put down until death put an end to those who were at the head of it. The information which he felt assured was in the possession of the Government must show that the authors and abettors of the conspiracy in Westmeath were as well known as the Members of the House of Commons, and he feared the Committee would find that persons of high station in that county went in such dread of their lives that they were in the habit of paying black mail in order to be free from the operations of the Riband conspiracy. Surely, if this were the case, the best way to attain the object in view would be for the Government to ask for power to at once seize those persons who were conspirators by nature and habit, and who would never cease to be so as long as they were at large. The Riband Society was a secret society; and if this Committee were appointed, he was certain it would supply a taunt against the Government which would be used in the future—its conclusions would not be acquiesced in, and its authority would be questioned. The Ribandmen would say —"Ours is a Secret Society, and the Government meets us by a Secret Committee." If the words about secresy had not been virtually withdrawn, he could not have voted for the Government; but if the Government were of opinion that the facts of the case were not sufficiently elucidated, and if the proceedings of the Committee were, save under some very extraordinary circumstances, to be open to all Members of the House, and subsequently to the whole of the United Kingdom, he was prepared to give his support to the Government. It would, he believed, be found that this conspiracy was the work of a very few individuals. The society had ceased to be agrarian and had become perfectly intolerable, for it interfered with every relation of life. No man could discharge a servant in the county of Westmeath without feeling he was liable to be tried for his life by that horrible tribunal. Even the servants of the railway companies in minor situations could no longer discharge with impunity their duties to their employers. If it were necessary to show that Ireland was at heart sound and content with the legislation of the last two years, he would give his vote in favour of the appointment of the Committee. The inquiry would, he felt convinced, show that the Irish people in general were grateful for what had been done for them; and that if a foul blot still existed in one portion of the country, it arose from causes with regard to which the Legislature could not provide an immediate remedy. In consequence of a remark which fell from the right hon. Baronet the Member for Tamworth, who dared any Irish Member to support the Motion for this Committee, he felt that if he did so silently his conduct might be misunderstood not only in the House, but also in the county he had the honour of representing. It was with pain that he addressed himself to a subject so disagreeable; but he trusted that on a future day his lot might be more happy, and that he might be able to convey to this country the grateful thanks of a people who had become united in the desire to promote peace, prosperity, and tranquillity in their island in union with this kingdom.

MR. W. JOHNSTON said, he rose to refer to an expression used on Tuesday evening by the noble Lord the Chief Secretary for Ireland, who said—

> "Probably, most hon. Members know as well as I do what is the nature and object of a Riband Society. Originally it had something of a religious and political character about it. I believe it began as a Roman Catholic organization for the protection of its adherents against the Orange Society."

As a member of the Orange Society he could not sit still and listen to the no doubt unintentional misrepresentation by the noble Lord of the principles and character of that Society. A work published by the late Sir George Cornewall Lewis in 1836 showed that the Riband Society dated as far back as 1784, though it did not assume its present name until 1798; whereas the Orange Society was not founded till 1795—so that the noble Lord's statement was manifestly incorrect. The great objects of the Orange Society were very different from those of the Riband Society, and as the former might be unknown to many hon. Members he would read the following extract from the authorized rules and regulations of the Orange Institution:—

> "The Institution is composed of Protestants, united, and resolved to the utmost of their power, to support and defend the rightful Sovereign, the Protestant religion, the laws of the realm, the legislative Union, and the Succession to the Throne in the House of Brunswick, being Protestant; and united, further, for the defence of their own persons and properties, and the maintenance of the public peace. It is exclusively an association of those who are attached to the religion of the Reformation, and will not admit into its brotherhood persons whom an intolerant spirit leads to persecute, injure, or upbraid any man on account of his religious opinions."

So far, therefore, from the Riband Society being founded for self protection against the Orange Society, the latter was established for the protection of life, liberty, and religion long after the former existed. The Orange Society was still a bond of union between Great Britain and Ireland, its members being anxious to uphold the authority of the Crown and the maintenance of law and order. On the present occasion he should not venture to criticize the general policy of the Government. With much of that policy he concurred; with much of it he was totally at variance. He objected to the proposal for a Select Committee, and to the addition of the words indicating that it was to be a Secret Committee. He would put to the Government the question asked the other evening by the President of the Poor Law Board when speaking on the subject of local taxation—"Are we to go on inquiring, or shall the Government produce a Bill?" He admitted he had some doubt as to the course he should take in reference to the present proposal until he heard the remarks of the right hon. Gentleman at the head of the Government; but the speech of the Prime Minister had convinced him that he was bound to give it his most uncompromising opposition. If a Secret Committee were appointed, the witnesses examined before it would be shot on their return to Ireland. The absence of certain persons would be marked—it would be well-known what they were absent for—and they would return doomed men. It had been asserted that a magistrate of Westmeath had paid black mail in order to avoid being shot, and that certain magistrates had declined an invitation to dine with the Lord Lieutenant, because they thought they could not safely leave their own residences. He did not give the latter statement on his own authority, but it was stated two days ago in *The Dublin Evening Mail.* If there were a necessity for doing anything, Her Majesty's Government, he hoped, would not hesitate to take immediate action, instead of shirking responsibility and throwing the odium of a coercive measure on the House of Commons.

SIR DOMINIC CORRIGAN said, he regretted that the right hon. Baronet the Member for Tamworth (Sir Robert Peel) had left the House, for he had used language offensive to Irish Members by saying that not one of them would dare to go into the Lobby with the Government on this occasion. One Irish Member had already answered the challenge, and he (Sir Dominic Corrigan) would make a second; although he should have opposed the Motion had it been persevered in in its original form. The impression that this was to be a Secret Committee, such as had not sat for half a century, had gone abroad, and had been used as a means of exciting hostility against the Government. That misapprehension had now been removed. The words, also, that the Committee was to devise means for the suppression of the disturbances were to be omitted. Therefore, it would remain a mere Motion for a Committee to ascertain the truth. Could anybody object to such a Committee as that? His reasons for supporting the Motion were these—It was due to Ireland herself. There could be no question that murder stalked abroad, and God would not bless the country from which the cry of murder arose to heaven. It was due to the Government to grant the Committee, because they were really upon their trial in reference to their Irish policy, and it should be ascertained how far that policy had promoted the welfare of the country. He should vote for inquiry in defence of his countrymen, because he believed that the murders were the work of only a very few bad men among a population far less than that of Sheffield, scattered over a whole county. The county of Westmeath was the smallest in Ireland, and it was very thinly populated. Eloquent as the speech of the right hon. Member for Bucks was, it convinced him that he ought to vote for this Motion in its present form. The right hon. Gentleman had called the Land Bill "legalized confiscation;" but if that Bill had not been passed the dark pall of midnight murder would have covered the whole country; nights would have been spent in murdering landlords, and days in executing tenants. There would, indeed, have been a war of extermination between landlords and tenants. The right hon. Gentleman also called the Church Disestablishment Bill the "consecration of sacrilege;" but if that Bill had not been passed, there would have arisen a combination of 5,000,000 of Catholics and Nonconformists—intellect would have been combined with right, and such a combination must have ultimately prevailed. It had also been said that the Ministry had "condoned high treason;" but his only charge against them was that they had not let the prisoners out soon enough, for the agitation caused here and in America by their long detention had done far more harm than their earlier release would have done.

VISCOUNT ROYSTON said, he did not at all doubt that the Irish Members would be actuated by what they deemed best for their country; but he did not at all admit that the question was one which might be well discussed by other than Irish Members; he maintained that if other Members entertained opinions upon the subject, it was perfectly fair and just that they should express those opinions. The matter was one which did not affect Ireland alone. He quite concurred with his right hon. Friend the Member for North Lancashire (Colonel Wilson-Patten) that the feelings of the noble Lord the Chief Secretary for Ireland, in bringing forward this Motion, were such as to command the respect of the House; but, without disregarding those feelings, they might still be allowed to dispute the policy of the Government as indicated by the Resolution. The noble Lord said that, in the opinion of the Government, a conspiracy existed, that it was an intolerable state of things, and that they were determined to apply a remedy. On his side the House there was the most perfect accord with the Government that they should apply a remedy for this deplorable state of things; but the noble Lord himself said the Government did not require the Committee to discover the remedy—that it was the duty of the Government to do this, and that they asked for the Committee to assist the Government by examining into the facts. Why, then, were they asked for a Committee at all? He quite agreed with the noble Lord that the evils now to be dealt with could not be best met by legislating in haste or in panic; but, at the same time, such a Committee as was now proposed could hardly finish its labours before the end of the Session, and, before the Committee reported, the Government would be unable to apply the remedy. The stern exigencies of the case described to them so forcibly by the Government would scarcely admit of such protracted delay. The noble Lord had told them they had had enough of hasty legislation. Was the noble Lord then referring to the Irish Church and the Irish Land Bill? ["No!"] Then, to what hasty legislation did he refer? [The Marquess of HARTINGTON: To the Coercion Bill, passed almost in a single day.] The Coercion Bill of last year certainly was not one for which his side of the House was responsible. The present proposition was that they should enter upon a prolonged discussion in Secret Committee before they could legislate for the benefit of Ireland; and he did not think that sufficient ground had been laid for granting the Committee, and they must themselve see that their present proposition was repugnant to the general feeling of the House. Hardly anybody but the hon. Member who had just sat down had said a word in its favour. The taunt of the President of the Board of Trade levelled against his side of the House, that they took pleasure in the failure of the legislation of the last two years, was unfounded and unjust. There was every disposition on that side to support the Government in upholding the authority of the law in Ireland; but the question was, was it necessary or right that a Committee of that House should investigate matters on which the noble Lord and the right hon. Gentleman at the head of the Government admitted that they were perfectly well informed? [Mr. GLADSTONE dissented.] That was the impression conveyed by the remarks of the noble Lord; and, certainly, the Lord Chief Justice of Ireland in the county of Meath—which was not free from the vices that contaminated Westmeath—had, within the last 48 hours, declared that a terrible state of things existed—that the persons threatened with assassination might be few in number; but that men were lying in wait, watching, tiger-like, for their victims, and that no law could bring prosperity to a community so situated; and that though the persons threatened might be but few in number, no one could tell but what he was one. Such an opinion from such a quarter was pretty strong evidence that the Government were perfectly aware of the state of things that existed in those counties that were under the ban of Ribandism. The noble Lord the Chief Secretary had urged the appointment of the Committee for the sake of the Government themselves, for the sake of the House, and also in justice to the people of Ireland. Why should a Government so strong in Parliamentary support and administrative ability ask for such a Committee for its own sake? Then, as to appointing it for the sake of the House, the opinion of the House was manifestly against granting the Committee. Nor did he think it would be for the welfare of the people of Ireland to grant it. His belief was that the Committee so far from being for the welfare of Ireland, would cause great dissatisfaction there. It would be a dangerous thing to transport to this country to give evidence persons whose opinions would be pretty well known, and the people of Ireland ought not to be exposed to this risk. The Prime Minister assumed that the right hon. and gallant Gentleman (Colonel Wilson-Patten) had demanded the suspension of the Habeas Corpus Act. As far as his memory served him, the right hon. and gallant Gentleman made no mention of the suspension of the Habeas Corpus Act, although he would not say that might not have been his meaning; but there had not been a general indication of opinion on his side that such a measure was necessary or even right. Other remedies might be used; and, certainly, the Government had great powers under the Act of last year. He wished that they would carry out fully those powers. He did not think that the precedents which had been quoted would justify the appointment of this Committee. The Committees in 1817 and 1818, for instance, were to investigate matters in reference to riots in England; and the Habeas Corpus Act was suspended not on account of treasonable acts of crime, as the right hon. Gentleman wished the House to believe, but in consequence of actions directed against the safety of private property and private life. Treasonable conspiracies, which attack property and life, demanded the strongest legislation the House could give; and if the state of Ireland was so frightful that the noble Lord, with feelings of painful dismay, asked for legislation with a view to secure the safety of its property and its people, then the Government would be justified in using whatever power they possessed to rescue that country from misery and despair, and it might depend upon support from the great body of hon. Gentlemen who sat on that side of the House. They did not wish to place the Government in a position of difficulty, for they were animated by one feeling of anxious and painful solicitude that the Government should be assisted in their present circumstances of difficulty.

MR. SYNAN said, that the argument of the Opposition appeared to be founded on the assumption that the Motion now before the House was an admission that the policy of the Government, in regard to their remedial measures for Ireland, had been a failure. He (Mr. Synan) emphatically denied that their policy had been a failure. He contended that if the measures of last Session had not been passed, the Prime Minister might now be asking the House to adopt those larger measures which the Opposition taunted the right hon. Gentleman for not adopting; and, instead of dealing with Meath and King's County, the House would have been urged to apply the proposed remedy to the whole population of Ireland. The policy of the Government had been a success. Instead of having, as the right hon. Gentleman opposite (Mr. Disraeli) said, "legalized confiscation," the remedial measures of the Government had checked confiscation. They had also liberated conscience, and instead of "condoning treason" they had arrested treason. With regard to the Motion itself, he was uncertain in what form it was intended to be finally left to the House, but he would assume that the word "Secret" would be eliminated from it, and that the Committee would not be empowered to recommend any particular measures to be carried into effect. But in that case it would be a Motion for a mere open Committee of that House to inquire into the state of things in Westmeath; and it might well be asked, *cui bono?* What evidence did the Government think they were likely to be able to lay before an open Committee? Did they expect that the magistrates of Westmeath would care that any evidence they could give on the subject should be published to the world? If the two magistrates from whom the right hon. Gentleman (Mr. Gladstone) had received letters were afraid to disclose their names, did they think it likely that they would be ready to give their evidence before an open Committee? Depend upon it that, if the Motion were agreed to, the Committee must either be a Secret Committee, or else its proceedings would be a mere sham. With regard to precedents, the Liberal party opposed the proposal made in 1818, on the ground that it was an unconstitutional attempt by the Government to transfer their responsibility to the House of Commons, but the Tories, having a majority, carried their point. It was curious to find the Liberal party in the present day copying the precedent set by their political opponents more than half a century ago. The facts stated by the noble Lord who moved for the appointment of this Committee, so far from justifying the Motion would afford the strongest grounds on which to base a proposal to repeal the Peace Preservation Act of last Session; for he said that, with the sole exception of Westmeath and the King's County, the people of Ireland were peaceful, prosperous, and progressing. And what did the exception amount to? To this simply—that, among a population of 120,000 persons, there had been four murders, and four attempts at murder, in the course of 14 months. Surely that was not sufficient to justify the House in granting a Committee of Inquiry. The Peace Preservation Act was a very stringent law; but the Peace Preservation Act, not being sufficiently powerful to put an end to agrarian crime in Westmeath, it now seemed that the Constitution must be suspended in order to effect a change for the better. If this was done, it would be the first occasion on which so extreme a course had been resorted to for the repression of that particular class of crime. He heartily denounced Ribandism, but he considered Orangeism as bad; but to suspend the liberties of the people because of the influence of those societies would only exasperate all classes in Ireland. He could not support either of the courses that had been proposed—the suspension of the Habeas Corpus Act or the appointment of a Committee of Inquiry; for the opinion of every right-minded man in Ireland was opposed to the recent proceedings in Westmeath, and the strength of public opinion, backing up the powers conferred by the existing law, would prove sufficient. The noble Lord the Member for Liverpool (Viscount Sandon) in the course of the debate had complained that Government was intruding Irish subjects upon the gravest hours of the Session. This was just the view taken by the Home Government Association in Ireland, and he should like to know if the noble Lord approved generally of the policy avowed by that body. He (Mr. Synan) said that, at any rate, the Motion now before the House referred to a subject that ought not to be discussed there at all. On the whole, he hoped that Her Majesty's Government would either withdraw their Motion, or pass it in such terms that it would not be an insult to the Irish people, by threatening them with a suspension of the Constitution under which they lived.

Sir GEORGE JENKINSON said, he thought that upon a crisis of this importance no man ought to vote against Her Majesty's Government unless he had good grounds for such a vote. On the main point, the granting of this Committee, he should feel bound to vote against, and should therefore vote also against the Motion for the Previous Question. On Thursday the noble Lord the Chief Secretary for Ireland gave Notice of his intention to ask for an appointment of a Committee, which, he said, was to be a secret one. It was only about 48 hours before he came down to the House again and said that the Committee was not to be secret.

He (Sir George Jenkinson) should like to know what good reasons Her Majesty's Government could adduce for so great a change in so short a time. He thought that such vacillation on the part of the Government was indecent. At the very moment that the late Chief Secretary for Ireland was congratulating the House on the absence of crime in Ireland, and on the contentment and loyalty in Ireland, a fresh murder was committed; not, indeed, in the county of Westmeath, but in the county of Limerick—a person was shot dead in his house within 30 yards of a police station; and on the next morning there was an announcement of another agrarian outrage in the county of Clare, on the estate of Lord Leconfield. This showed, he thought, that Ireland was not as contented and prosperous as was represented. His reasons for voting against the Motion were these—if the Committee were to be secret, it would very much prejudice the Government; and if it were not to be secret, he did not think they would get the evidence they professed to be desirous to have. As to the alternative which the Prime Minister put before the House that night, that secresy was to be occasional—that the Committee could come before the House to make it secret whenever it chose for the purpose of getting the evidence of any particular witness—the effect of that would be that the witness who gave evidence in secret would be doomed to destruction on his return to Ireland. Such a provision as that would be less efficacious than making the Committee absolutely secret, or not secret at all. The objection he had to a Committee was that it involved delay, and that during the delay there would be more loss of life. In his opinion, immediate action was required; and if the Government would propose, on their own responsibility, such measures as would effectually put down those agrarian outrages, they would meet with support from hon. Gentlemen on the Conservative side of the House. He denied that this question had been treated in a party sense. He believed the wish of hon. Members was *bonâ fide* to assist Her Majesty's Government in a way consistent with the rules of the House and conducive to the interests of the country. One hon. Member on the Conservative side had declared that he would not vote on this question; but he (Sir George Jenkinson) held that it would not be conformable to the dignity of a large party like the Conservative party to walk out of the House, and shirk voting on an important question like that before the House. Allusion had been made to the Administration of Lord Liverpool, and contrasting in a disadvantageous manner the epoch of 1818 with the present time. Considering his connection with Lord Liverpool, he might be permitted to say that Lord Liverpool's Administration contrasted favourably in some points with the Administration of the present day. The position which England held abroad during the Administration of Lord Liverpool contrasted favourably with the position which, he regretted to say, we now held in our relations with foreign countries. Again, although Lord Liverpool might have applied to Parliament for a Secret Committee to repress certain outrages in this country, he never attempted to do so after having released scores of treasonable rebels, and thereby causing the evil requiring to be remedied. He (Sir George Jenkinson) believed that the releasing of treasonable rebels on Her Majesty's Government taking office had lately had a great deal to do with the disturbed state of Ireland at the present time. The release of those criminals, he believed, had greatly encouraged other criminals. He believed that the Committee could do nothing for the Government that the Government could not do without it, and he should, therefore, vote against the Resolution.

Sir PATRICK O'BRIEN said, as representing a portion of a county affected by the Motion of the noble Lord, he would wish to say why he could not support the Motion. From many of the speeches which he had heard during the debate he gathered that many hon. Members seemed to think that the effect of legislation should be something magical, and that measures introduced and passed to remedy the oppression of centuries should, as if by enchantment, immediately produce peace and social order in Ireland. For his part, he viewed confidence, and especially political confidence, as a plant of slow growth; but he did feel that, in the measures of the past two years, would be found the germs of concord and amity in his country. The strength of the Riband conspiracy had ever been found to exist in the amount of sympathy or indifference with which it was regarded in any district, and there had not time elapsed for the masses to fully appreciate the effect of the recent measures. When they found that other modes of redress were afforded by law, and that its action should be no longer in the direction of redressing real or imaginary wrongs, but, as was stated by the hon. Member for Galway, to interfere with their own individual liberty, the people themselves, without any interference, would become their own defenders, and such action, as regarded Ribandism, would prove of more avail than 20 Coercion Bills. Last year, on the occasion of the introduction of the Peace Preservation Act by the right hon. Gentleman the President of the Board of Trade (Mr. C. Fortescue), he opposed that Bill. Amongst other reasons for taking that course, he conceived that the measure, so well styled by the right hon. Gentleman opposite (Mr. Disraeli) as a measure of "agricultural equity," should have preceded any measure of coercion; but, whatever opinion might prevail as to the expediency of passing that Act, of one thing he (Sir Patrick O'Brien) was assured, that it was a measure of unprecedented stringency, and he felt certain that if its provisions were carried out no Committee, such as the Motion demanded, could be considered necessary. By the confession of the Government it had failed but in one county in Ireland. Last year the right hon. Gentleman (Mr. C. Fortescue) mentioned that in the whole of Ireland at the time, there were but three counties which enjoyed a bad pre-eminence in crime—Meath, Westmeath, and Mayo—and that of these the county Mayo was by far the worst. How was the matter then? Mayo had become perfectly tranquil; and, whether hon. Members chose to attribute that fact to recent legislation, or to the Peace Preservation Act, one thing was certain, except in Westmeath tranquillity reigned in Ireland. When the Government took the unusual course of coming to that House for a Committee, in order that through its intervention other coercive measures might be originated, that House had a right to ask, and he, as an independent Member, had a right to inquire, had the Government exhausted the powers which they plainly possessed under the Act of last Session? He had read that Act, and he found one section in it which, if it had been put in operation, would have afforded all the information which could be possibly furnished by the projected Committee; and, what was more important, would afford it under the sanction of an oath, which a Committee of that House had no power to administer. He would, with the permission of the House, read the 13th section, or a summary of it, and ask the learned Solicitor General for Ireland's attention to its provisions—

> "Where in any proclaimed district it shall appear that any felony or misdemeanour was committed, any justice of the peace in such district, although no person may be charged before him with the commission of such offence, shall have full power and authority to summon to the police office, or to the place where the petty sessions for the district in which said felony or misdemeanour has been committed are usually held, any person within his jurisdiction who, he shall have reason to believe, is capable of giving material evidence concerning any such felony or misdemeanour, and to examine on oath such person, &c."

It then proceeds, in case of refusal, to impose penalties; thus plainly removing from the witness the imputation of being a voluntary witness, or, what is termed in Ireland, an informer. Would the hon. and learned Solicitor General say that this section had been acted on in Westmeath, if not by the local magistrates, by the resident magistrates, who were paid by the State, and were responsible to the Government? He thought an answer to this question should be given; and that the House should know, before they were required to grant new powers and to suspend the law, had the Law Officers of the Crown, who had in their hands the criminal administration of the country, seen that the magistrates had failed to obtain the information now sought to be obtained by this Committee? When the old Act had failed it would be time to come to the House for renewed powers; in his (Sir Patrick O'Brien's) opinion, not before. The hon. Baronet (Sir George Jenkinson), who had preceded him in that debate, had alluded to the release of the Fenian prisoners, and had complained that such release had led to the existing state of Westmeath. In his opinion, nothing could be more incorrect. Observations of that character were made in consequence of the ignorance which so generally prevailed regarding the Fenian and Riband organizations. They rarely, if ever, co-existed in a county. Where Ribandism prevailed there was no Fenianism, and *vice versâ.* In the King's County there was neither society. There was one thing that could not be imputed to Fenianism, and that was a connection with assassination. [Mr. G. HARDY: Oh! oh!] The right hon. Gentleman the Member for Oxford University did not permit him to finish his sentence. He meant assassination, affecting others; not members of the body, for breaking the oath of the confederacy. For his part, he thanked the Government for, even at a late period, releasing the political prisoners in deference to the strong feeling prevailing in Ireland on the subject. The noble Lord the Member for Liverpool (Viscount Sandon), who always addressed that House with ability, he regretted to hear complaining of the political prisoners being allowed to go to America; but the noble Lord, perhaps, had never heard a French definition of expatriation —*Cette autre mort qu'on appelle l'exil.* It was, indeed, a punishment to those men to leave wife and child and all they held dear in their own country. He felt regret in being obliged, as a matter of duty, to vote that night against the Government; and that regret was increased by the fact that the noble Lord the Chief Secretary for Ireland had charge of the Motion, and that it was the first Motion which, in his new official capacity, he had occasion to present to the House. He believed that the noble Lord was placed in that position by an unlucky accident, and that the policy which prompted the framing of that Motion was due to others, and not to the noble Lord. He (Sir Patrick O'Brien) had not forgotten the services to religious freedom in Ireland rendered by the family of Cavendish in past years, at a time when the profession of such opinions was neither fashionable nor profitable. In that House he had remarked the noble Lord, on almost every occasion, adopting and acting upon the traditions of his family, and he therefore regretted being obliged to vote against him upon that occasion.

MR. G. BENTINCK said, that the Prime Minister had begun his speech by observing that he was not ashamed of any of the Irish measures of the Government—a declaration which seemed to him to be rather a strange one from the mouth of the right hon. Gentleman. But he heard the statement without surprise, because any man who could propose such measures was never likely to come to the frame of mind in which he would be ashamed of them. The right hon. Gentleman went on to say that those measures were wise, just, and Christian; but, without discussing that point further, he could only say—"Heaven defend us from the wisdom, the justice, and the Christianity of the right hon. Gentleman." After appealing to the Goddess of Liberty —he (Mr. Bentinck) quite expected to hear him proceed to appeal to the Goddess of Reason—the right hon. Gentleman concluded that part of his speech by informing them that he attached the highest importance to the maintenance of private and personal rights—a truly wonderful confession from the lips of the Minister who had proposed the Irish Church Bill and the Irish Land Bill. His objections to the present Resolution were two. The object of it was to enable the Government to abdicate its functions. Now, he could conceive no greater misfortune that could befal the institutions of the country than that a Government should abnegate its duties. The other objection was that a Committee could furnish no information which the Executive was not already in a position to obtain. So that the sole end of its appointment would be to absolve the Ministry of all responsibility of action. Moreover, it sought to devolve that responsibility upon a Committee of that House, which was, and by its constitution must be, powerless to act in the matter. All their Committees almost invariably ended in nothing, and the one now proposed must—if it were possible—terminate still more futilely. It was called an exceptional Committee; whereas the state of things to be inquired into was, unfortunately, normal, rather than exceptional in Ireland. Now, a rough, but generally pretty accurate estimate of what was done or proposed in that House might be gathered from the view taken of it in the Lobbies, and in the present instance the opinion in that quarter was that the Government had proposed a Committee because, though they might have secured the assent of the House to a strong and direct act of repression, the result would have been to drive the Irish Liberal Members into a coalition with the Opposition on the first occasion that promised for the overthrow of the Administration.

The Government were anxious to relieve themselves from the responsibility which properly belonged to them, by casting it upon the shoulders of others. If they could only find a Government with a straightforward policy, he believed that they would secure the favour of both sides of the House. It appeared to him that the proposal of the Government would have a most ruinous effect upon Ireland. He had seen a great deal of that country lately, and during his whole career in that House he had heard a great deal about Irish grievances. It was his opinion that Ireland had been more ill-used than any other country in Europe. She had certainly one grievance, though but one only, and if they could remedy that they would remove all existing difficulties in regard to Ireland. The real grievance of Ireland was that she had never been governed at all. Instead of that, she had been made the battle-ground of party politics in this country. And it had always been the question with the occupants of the front Benches—"What are we to do about the Irish vote?" And the view taken by the so-called great leaders on both sides was that no Government dare grapple with the condition of Ireland. The Irish were a generous but an excitable people; and what was to be expected from a nation that had been misgoverned for so many years? They had been made the dupes of agitators—men who had practised agitation for political or party purposes; and no man had more superinduced that agitation, or had done so for more mischievous purposes, than the right hon. Gentleman himself, the First Minister of the Crown. ["Oh, oh!"] He did not mean to say that those who had preceded him in office had not dealt with Ireland in a similar manner; but the last measures of the right hon. Gentleman had exceeded, on the score of agitation, anything he had ever seen or heard of. Did he not tell the Irish people, some years ago, that Ireland was to be governed by Irish ideas? Now, what was the meaning of governing Ireland by Irish ideas? What did those words naturally convey to the minds of the Irish people themselves? They simply meant the appropriation of the whole land and the Church property of Ireland. What did the right hon. Gentleman do by way of pacifying Ireland? He took a portion of the property of the Irish Church, and confiscated a portion of the property of the Irish landlords. But the Irish people claimed the whole, and not a portion of this property. The course taken by the right hon. Gentleman could only lead to increase the discontented and disturbed condition of Ireland. The fact was, that for years past they had no Executive Government at all. When it was a question of dealing with the Ribandmen of Westmeath or with a Hyde Park mob there was the same want of energy—the same want of decision—and of power to govern which had been always evinced. We had now come to that state of things when the Government had not the courage to govern, and the Opposition had not the courage to oppose. The maintenance of the laws, under such circumstances, was impossible, and the violation of order was inevitable.

MR. OSBORNE: Sir, I must confess that when my hon. Friend, whom I am so happy to see among us again, rose to discuss this question, I did not expect he would throw any material light upon it. We all know he is one of those downright Englishmen whom it is very difficult for anybody to please, and that when he has poured the vials of his wrath on the leaders of both political parties, and has told us that Ireland is without any Government whatever, that is all the information we are likely to obtain from the county of Norfolk. I am more than disappointed at the course of this debate. When the First Minister of the Crown rose in his place early in the evening, I did expect we should have been put in possession of the precise nature of the question before us, and the object of calling upon the House to appoint a Select Committee. But, after listening attentively to that early speech, I must say I have been left in greater doubt than before. It appears to me that since the right hon. Gentleman endeavoured to elucidate this point to the House, not only a moral but a material fog has settled down upon us. I defy anybody to tell me what is the precise question we are at present discussing. Whether is this a Secret Committee, a Select Committee, or what? As it appears to me, this Committee is not to be secret; it is not to be suggestive; and, as far as I can see, there is a great chance of its not being select. I carefully listened to every word that fell from the right hon. Gentleman. Rising as he did so early in the evening, there must be a difference of opinion in the Cabinet on this question. Well, the right hon. Gentleman informed us, as far as I could understand, that the main object of the Committee is to grant an Act of Indemnity to Ministers for the way they have employed the Peace Preservation Act. We have heard no other object assigned, and I regret that the First Minister, though he may have been confiding, was not more clear in his explanation. If it were wise in the right hon. Gentleman to alter the terms of the Motion for that Committee, and drop the secresy portion of it—provided it is dropped, because it appears to me to have been revived again to-night—how much wiser would it have been to drop the Motion altogether! He must see by the tone of what I call his rabid supporters, that they are not well pleased with this move, and that what is apparently a whim of the First Minister alone, is not likely to land him in a conspicuous place in the favour of the Irish Members or of the Irish people. If the right hon. Gentleman intended to bring forward this Motion, I want to know why he put this passage into what is called the "most gracious Speech from the Throne," though, as everybody knows, it is nothing but the speech of the First Minister—

> "The condition of Ireland with reference to agrarian crime has, in general, afforded a gratifying contrast with the state of that island in the preceding winter; but there have been painful though very partial exceptions. To secure the best results for the great measures of the two last Sessions which have so recently passed into operation, and which involve such direct and pressing claims upon the attention of all classes of the community, a period of calm is to be desired; and I have thought it wise to refrain from suggesting to you at the present juncture the discussion of any political question likely to become the subject of new and serious controversy in that country."

That was the Speech delivered from the Throne at the beginning of the Session, not so very long ago. What does the right hon. Gentleman do? He gets a new recruit, and a most able-bodied and able-minded recruit in the place of the Secretary of the Lord Lieutenant, and forces that noble Lord to come down here, and "with painful dismay," introduce a measure likely to lead to the most serious controversy in the country which he says requires so much calm. I must say that the dismay is not peculiar to him, but is shared by a great many supporters of Her Majesty's Government, who have the good of Ireland at heart, and who are adverse to dragging the question of the Westmeath Ribandmen before the House, and plunging us into a debate where all the worst elements of party conflict are about to be developed. I protest against a proposal which revives such a conflict on such a question. I heard the two great measures of the two last Sessions, to which the majority of this House and of the country assented, stigmatized as measures of sacrilege and of confiscation. I cannot share that view. I rather name them as measures of justice and conciliation, too long deferred; and he must not only be a politician of sanguine heart, but of a softer head than usual, who expects that any measures whatever will lead to immediate results. If, however, we can even lay one stone in our life-time towards such a desirable consummation, we shall not have laboured in vain. I can sympathize with no observations which proceed from the standpoint of the right hon. Gentleman opposite. But it is because I was a supporter of the past that I am an opponent of the present policy of the Government. What is the situation? We have a strong Government, with a set of ardent supporters who were ready to vote anything the right hon. Gentleman proposed. His name was almost the only hustings cry they would condescend to use; and to be Gladstonian was to be successful. We now find this strong Government very much in the position of a weak woman, who, when she hesitates, is lost. This strong Government, crammed with information as to the state of things in Westmeath, with evidence ready, and not only evidence, but measures—remedies which they do not seek at your hands, and which they are ready to pass —ask you, nevertheless, for a Secret and Select Committee. The right hon. Gentleman the First Minister endeavours to apologize for the times of 1812 and 1818, when Lord Castlereagh, pursuing a bolder course than that of the right hon. Gentleman, though probably not so confiding, came down with his green bag to the House of Commons and produced his evidence at the Table. Instead of this the right hon. Gentleman calls for a Committee. And what is the Committee to do? It is to act very much the part of a Silent Friend. It is to produce a remedy. The truth must be spoken. This Committee is nothing more than a screen for Ministerial debility and executive incapacity. The First Minister is always very great upon the abstract question, and asked what are the elementary obligations of a Government—though he did not answer the question. Now, what are the elementary obligations of a Government? First of all, what is the use of a Cabinet at all? Why is it selected if, at the first critical moment, it runs under the ægis of a Select Committee of the House of Commons? This Cabinet has lately been whitewashed, it has been re-constructed, the cards have been re-shuffled, and the Cabinet comes back to the old military position of "as you were." Let us look at the principle of selection exercised in the choice of this Cabinet—a principle which it is proposed to extend to the military commands. How successful it has been in this instance! We all know the right hon. Gentleman is rather exclusive in his Cabinet society. If he has a preference, what he does like best, I believe, is the selection chiefly of Whig marionettes of the most approved pattern—gentlemen who will recognize and reverence the official wires. How far does this Cabinet represent the opinions of the great Liberal majority in this House? How far does it represent or reconcile the feelings of the people of Ireland? Just look down the list. Here are 15 Gentlemen. There have been several turns of this political kaleidoscope, but somehow I have remarked that at every change you get back the old Whig combination. The fact is the Whigs are never happy unless they are in office. It is the old story — *Naturam expellas furcâ, tamen usque recurret.* And the consequence is that we have all the old family party back again, and, true to Whig antecedents, not satisfied with knocking their heads against walls in the ordinary course of nature, they must propose a special wall, in the shape of a Select Committee, in order to run their heads against that. I attribute the whole of this blunder to the constitution of the Cabinet. There are in it 14 or 15 respectable Gentlemen, more or less gifted; but what connection have they with, or what special knowledge have they of, what is called the sister kingdom? I have not a word to say against the noble Lord the Chief Secretary for Ireland, except that he has stumbled, as I believe, at the threshold of his new office. I am glad to see a man of his great rank and ability devoting himself to the service of the country, and accepting the thankless office of Chief Secretary to the Lord Lieutenant. But when I look through the long and dreary list of the Cabinet—of those Gentlemen who bow to the presiding genius, I cannot help thinking that it must be written in large letters over the doors of the Cabinet — "No Irish need apply." There is but one man in the Cabinet who has any special knowledge of, or acquaintance with, Ireland—a man being Lord Lieutenant of Ireland gives him no special knowledge of Ireland, because he lives in the Castle of Dublin, and is a martyr to the reports of people who never stir out of it — there is but one man who has any special knowledge of Ireland, and that man is the right hon. Member for Louth (Mr. Chichester Fortescue). And what has the Prime Minister done with him? Directly the right hon. Member for Louth had any success in legislating for Ireland he was put on the treadmill of the Board of Trade; and so anxious is the Prime Minister to keep any Irishman from entering into the "Secret and Select Committee" of the Cabinet that a right hon. Gentleman who for years has possessed the confidence and gained the hearts of the Irish people, and who has been waiting in the ante-chambers of the Cabinet, is not admitted into it, but is relegated to the "Dead Letter Office." This, Sir, is the sort of treatment that the Irish receive at the hands of the present popular and powerful Government, and yet you are surprised if these 14 Englishmen, sitting in Downing Street, desire to shift responsibility from their own shoulders and endeavour to lay it on a "Select and Secret Committee" up stairs. It is my good fortune to represent an Irish constituency—I consider it a special good fortune to do so — but I am not about to give my vote simply as an Irish Member. I give my vote as an individual Member of the House of Commons, who feels strongly that the course taken by the head of the Government is not only dangerous to the Ministry, but will also be attended with most evil consequences to this House, and to the country, if we get into the habit, whenever a Government is in danger, of listening to a "confiding" Minister, and of allowing an Administration to shuffle off responsibility on to a Select Committee. The only man that can upset the Government is he who formed it, and I can tell him that stronger Ministers than himself have been "run off the rails" by proceedings very like the one now in question. He may have many admirers and devoted followers in this House, but if he continues to press this vote on Parliament I feel satisfied that his popularity and power will come to a speedy termination.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE): Sir, I am unwilling to interpose between the House and the hon. Member for Cork (Mr. Maguire, who had risen at the same time); but, inasmuch as no Member has for some time addressed the House from the Treasury Bench, it appears to me not inopportune that a Member of the Government, intimately acquainted with the administration of the law in Ireland should now say a few words in reference to the Motion before the House. This, and not any desire to prevent the speech of the hon. Member for Cork, is my reason for rising at present. The House, I am sure, does not wish or expect that I should follow the hon. Member for Waterford (Mr. Osborne) through his amusing speech—delivered at the proper time, when the House was full, and in a fit state to enjoy with zest the pleasure which the hon. Member knows so well how to afford. It occurred to me in hearing that speech that the hon. Member is more conversant with Cabinet making than with Secret Committees; but that is not my *forte;* and I shall not follow him further than to say that I think he was very inconsistent in first twitting the hon. Member for West Norfolk with knowing very little about the matter, and then showing that he himself knew less. Nevertheless, the hon. Member made a very amusing speech. He displayed a happy facility in furbishing up such old phrases as "Whig marionettes," and "No Irish need apply." By the way, it would be impossible by his speech, if one did not see where he sat, to distinguish the hon. Gentleman from a Tory marionette, for I apprehend there are marionettes on both sides of the House. But the hon. Member said there was no Irishman in the Cabinet, and that assertion was made immediately after paying a tribute to the Government for passing two of the greatest measures in reference to Ireland that have been introduced during the last 200 years. ["Oh!"] The hon. Gentleman told the House that the Irish Church Bill and the Irish Land Bill were great successes. [Mr. OSBORNE: No!] Well, the hon. Member did not deny that they will be so when in course of time their beneficial effects shall be felt. Now, I ask, who passed those measures? I do not expect the hon. Member to answer me; my question is one of those rhetorical artifices not uncommon in this House. I say, the Cabinet, over the doors of which were inscribed, according to the hon. Gentleman —"No Irish need apply." He wants to persuade the House that the ex-Secretary for Ireland has ceased to be an Irishman because he has become President of the Board of Trade. So long as that right hon. Gentleman was Chief Secretary to the Lord Lieutenant he was an Irishman, and then "No Irish need apply" could not be written over the Cabinet; but he ceased to be an Irishman directly he was transferred to "the treadmill of the Board of Trade"—a treadmill on which, by the way, the hon. Member for Waterford would be very glad to walk himself. I shall take the liberty of telling the hon. Member for Waterford that if the "confiding" Minister would sentence him for 18 months to that treadmill, he would be, if not a grateful, at all events a silent Member. I should like to know what right he had to say that this Motion is the whim of the Prime Minister alone? What right has he to assert that the First Lord of the Treasury forces the noble Lord the Chief Secretary for Ireland to bring forward this Motion; and, if I may repeat the definition of an honest man given by the right hon. Member for Tamworth (Sir Robert Peel), speak what he does not think? And then the hon. Member for Waterford passes compliments on the noble Lord, after having made him one of "the Whig marionettes," worked by wires in the hands of the Prime Minister! The hon. Member for Waterford said it was his good fortune to have an Irish seat, and it certainly is a good thing that there should be occasionally a refuge for the destitute. The hon. Member has gone round the political compass. Having gone to Dover, and found no rest for the sole of his foot, he took flight across the water, and like the dove, though in no other respect very dove-like, he at length found a resting-place in Waterford. The hon. Member is an Irishman *pro re nata;* he is an Irishman for the present, and will continue one—until the next General Election. Having said so much for the hon. Member, I promise him, if he gives me another opportunity, to be more liberal in my acknowledgments of his efforts for throwing light on the subject under debate. And now I come to the speech of the right hon. Baronet the Member for Tamworth (Sir Robert Peel), who remarked upon the "extraordinary measures" promoted by the Government for the pacification of Ireland. Did the right hon. Baronet use the word "extraordinary" by way of praise or blame? [Sir ROBERT PEEL: Blame.] Blame! I have heard few things to exceed that. Did my eyes deceive me when, sitting on the back Benches as an outsider, I thought I recognized the stalwart form of the right hon. Baronet sitting behind the Government and voting for those "extraordinary measures" during the last two Sessions?

SIR ROBERT PEEL: Never! I never voted for them. I never once gave a vote in favour of either of those two measures.

THE SOLICITOR GENERAL FOR IRELAND (Mr. DOWSE): Then, if the right hon. Baronet never once gave a vote in favour of the measures, why did not he record a vote against them? Why had he not the courage of his convictions? I hope the right hon. Baronet will hold in his hand the taper of remorse. [Sir ROBERT PEEL: Never!] The right hon. Baronet having sat behind the Treasury Benches as a supporter of the Ministry, and failed to make a single protest against the Bills he now designates as "extraordinary," it is rather too much for him to come forward now, and, in the plenitude of his wondrous kindness to the Ministry—engendered probably by a fellow-feeling with his neighbour (Mr. Osborne)—constitute himself an impartial critic upon the home and foreign policy of the First Lord of the Treasury. I shall now pass by this pair of patriotic brethren and proceed to discuss the matter in hand. I shall assume it is admitted, on the basis of the statistics brought forward by the Chief Secretary, that exceptional crime has been committed, and is to be apprehended, in Westmeath, and the parts of Meath and the King's County contiguous thereto. In this state of facts, the Government had to consider what measures should be taken for the repression of crime and for the public safety; and they concluded that with a view of dealing with this exceptional crime the proper course was to put the Motion on the Paper which we are now discussing. Various objections, however, have been raised to the appointment of the Committee asked for by the Chief Secretary. The hon. Gentlemen opposite object to it on the ground that it does not go far enough. ["No, no!"] If hon. Gentlemen opposite will wait, they will see I do not misconstrue their objections. They object that the Motion does not go far enough, because it should not have stopped with a proposal for a Committee, but should have proceeded to state remedial measures at once. Some of my hon. Friends below the Gangway on this side of the House, on the other hand, object to the Committee on the ground that it goes too far—because, they say, it is not required, and that there is no necessity for either legislation or inquiry. And the remarkable thing is that these hon. Gentlemen will be found in the same Lobby with the hon. Gentlemen opposite; so that if it is not misery in this instance which makes people acquainted with strange bedfellows something else equally potential does. It is right that this should be perfectly well understood. The Committee the Government think proper to ask the House to appoint is designed to inquire into the state of Westmeath—to inquire as to the nature of the combination and confederacies believed to exist there, the objects sought by them, the people engaged in them, whether terrorism exists to the extent alleged, what is the nature of the organization with which we have to cope, and as to how it may be guarded against for the future. The object in view in putting the last part of the Motion on the Paper—that is, as to "the best means of suppressing" the unlawful combinations complained of—was simply to enable the Committee to take evidence on that subject if it were offered them, and to receive suggestions from competent witnesses. Now, is there a precedent for the appointment of this Committee? The House of Commons goes according to precedent in all its deliberations, and in my judgment it is right in doing so. Precedent is the life of English law—English freedom is based upon precedent—

> "Freedom slowly broadening down
> From precedent to precedent."

It is from precedents established by the wisdom of our ancestors that we are governed in our ordinary affairs every day. I hope it is our ambition, and I trust it ever will be our ambition, in legislation, not to depart from the method bequeathed to us by the wisdom of our ancestors. ["Hear!"] I can see nothing inconsistent with my avowed opinions in the observation I have made; it is an observation which everyone who thoroughly understands what Liberalism is, and who does not desire to sacrifice liberty to licence, might well endorse. I have before me the record of a Motion made in 1852 by the then Attorney General for Ireland (Mr. Napier) for a Committee. My right hon. and learned Friend—and I am proud to be able to claim him as a friend, was not one to undertake resolutions lightly, nor would he lightly press them to their conclusions. Now, what course did he pursue? In Her Majesty's gracious Speech in 1852 reference is made to the state of Ireland in these terms—

> "While I have observed with sincere satisfaction the tranquillity which has prevailed throughout the greater portion of Ireland, it is with much regret that I have to inform you that certain parts of the counties of Armagh, Monaghan, and Louth have been marked by the commission of outrages of the most serious description. The powers of the existing law have been promptly exerted for the detection of the offenders, and for the repression of a system of crime and violence fatal to the best interests of the country. My attention will continue to be directed to this important object."

A change of Government occurred between this Speech from the Throne, and the moving for a Committee. Lord Russell went out of power on the Militia Bill, and Mr. Napier, as Attorney General for Ireland, supported by his predecessor in office, moved for a Committee of Inquiry into the state of those parts of the counties of Armagh, Monaghan, and Louth referred to in the Queen's Speech. The words of the reference are to inquire—

> "Into the immediate cause of crime and outrage in those districts, and into the efficiency of the laws and of their administration for the suppression of such crime and outrage."

That is a Committee substantially the same as the one we ask for. I have the report of the speech of the right hon. Gentleman before me in which he moved for that Committee, and he said, alluding to the crimes originating in the Riband system—

> "They were the acts of a great confederation, which, if not put down by the law, would put the law down, and therefore this was a conflict with an organized conspiracy against life and property of the most startling description. The Return for the county of Louth embraced from the 20th of April, 1849, to the 29th of December, 1851, and contained 23 cases—they were all separate crimes of Riband conspiracy, and included murder, shooting with intent to murder, waylaying, threatening notices, acting as members of the Riband system, administering unlawful oaths, arson, and the prevention of prosecutions for crime. Of these 23 cases, there had only been in five instances convictions, and in all the others the law as yet had not been able to overtake the criminals."—[3 *Hansard*, cxix. 1173.]

Mr. Napier expressed his opinion that it was no question of party, and I hope I may say the same on the present occasion. I believe there is an earnest desire on both sides of the House to repress crime and outrage wherever it exists, and I believe the Conservative Benches are as anxious as the Liberal Benches to grant full power to the Government for the repression of crime. In saying this, I merely give expression as an honest man to what I do think. My right hon. Friend Mr. Napier, in a speech extending over 16 pages of *Hansard*, gives details more terrible than any we have given with reference to the state of Westmeath. And yet did anyone say—"You have abundant evidence; why do not you come forward at once and legislate, without asking for the appointment of a Committee?" No. The late Attorney General for Ireland (Mr. Hatchell), who spoke on that occasion, said that, far from rising with the intention of opposing the Motion, he was extremely desirous that it should be carried. Sir, it is idle for me to go through the form which nearly every hon. Gentleman thinks necessary before alluding to the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli)—to make two or three "kotows" to his genius, and four or five to his literary celebrity. I am a sincere admirer of the right hon. Gentleman, and therefore I will perform one kotow at all events. This I must say, however, I certainly thought it strange that the right hon. Gentleman, with all his literary powers, having not only the whole range of English literature and Oriental literature to fall back upon—but Continental literature as well—knowing, as he does, the greatest celebrities in literary and political history, I did think it strange that he could find no one to compare himself with but the lean apothecary in *Romeo and Juliet*, and, like him, urge the plea—"My poverty and not my will consents." For that was the only answer he gave, by anticipation, to my precedent, when he stated he would have acted differently if he had had a majority of 100 at his back. I, however, take the liberty of saying that that is no answer; and I challenge my right hon. and learned Friend the Member for the University of Dublin (Dr. Ball), who will probably speak in the course of this debate, to give a better answer than that to this precedent, and not to give it the go-by by speaking, as the right hon. Gentleman the Member for Buckinghamshire has done, of the Government of 1852 as if it were a rickety baby and he were its wet nurse. That Committee sat, and on the list of its members were included the names of Sir James Graham, Sir John Young, Sir William Somerville, Sir Emerson Tennant, the present President of the Board of Trade, and other eminent men on both sides of the House—as I hope will be the case with this Committee. I hope the right hon. Gentleman the Member for Buckinghamshire will aid the cause of justice to Ireland by casting some of his paternal glances over the deliberations of the Committee, and by listening, patient and Sphinx-like, to the evidence which may be adduced. Now, that Committee sat for a considerable number of days, and when it made its Report that Report consisted of nothing but suggestions. The first, and the only one which the right hon. Gentleman opposite, with all the efforts of his ingenuity, was capable of dealing with was the continuation of the Crime and Outrage Act for another year. The last recommendation was that such a measure should be framed as would deal with the laws relating to landlords and tenants in Ireland, and afford adequate security to Irish tenants; and this recommendation was carried into effect last year, when what the right hon. Member for Buckinghamshire calls "legalized confiscation" became the law of the land. In other words the Committee appointed under the auspices of the right hon. Gentleman opposite, and presided over by the Irish Attorney General, recommended that this House should do what has been done by a Cabinet over the doors of which is written, according to my hon. Friend the Member for Waterford—"No Irish need apply." The Report of that Committee consisted of six paragraphs, each suggesting a change in the law, and yet only one was dealt with by the Government who proposed the appointment of that Committee. Was all this a shirking of responsibility? And, if so, why should that be flat blasphemy with us which with the right hon. Gentleman opposite was but a choleric word? I shall say no more upon the question of principle in this matter, but shall consider what this Committee will really have to do when it is appointed. I heard to-night some startling facts. I was informed by one hon. Member that in the county of Westmeath black mail is levied by these Riband societies. Although I have some idea of the way in which the law is carried out in Ireland, I never heard that alleged fact before. That fact—and I do not deny that it is a fact when it is uttered by so respectable an authority—is a fit subject for the inquiry of the Committee. If it be a fact, it will be for the Committee to inquire who levy this black mail, and who pay it; whether it be paid by men of position or influence, or whether it be merely the timorous act of a country gentleman, not believing in his power to defend himself without having recourse to these illegitimate expedients. I have been told by the hon. Member for Dublin (Sir Dominic Corrigan) that these acts are the acts of but a very few bad men. I hope that is so; but, at any rate, it is a fit subject for inquiry. The facts elicited by the Committee will be brought before the House and the Government, and the Government will never shrink from the responsibility of such legislation as in its conscience it deems right. We are also told by an hon. Member that a Westmeath gentleman could not go to the Lord Lieutenant's dinner, inasmuch as he was afraid of being shot. That gives, if it be true, a very sad picture of Irish society. I never heard it before. No intimation, I can safely say, has reached the authorities at Dublin of that circumstance; but it is only more matter for the Committee to inquire into. ["Oh!"] Perhaps hon. Members opposite think that not even the threat of being shot would prevent them from going to a Lord Lieutenant's dinner. Some people if they cannot bask in the sunshine of Royalty will endeavour to seek compensation in the moonshine of Viceregal Royalty. The officers of the Government will lay their evidence before the Committee, and every hon. Member who sits below the Gangway, in what is called the independent part of this House—and I occasionally see some Members alternating, going backwards and forwards as if they were not quite content with their position—will be able to form his own conclusions on the subject. ["Oh!"] If any hon. Gentleman feels himself aggrieved by that observation, I withdraw it. I am told that the witnesses will not give their statements upon oath; but I know very little of the powers of right hon. and hon. Gentlemen who will probably be on the Committee if they do not, without such a power, extract from any witness who may come before them such evidence as he is able to give. The hon. Baronet the Member for the King's County (Sir Patrick O'Brien) asks why the 13th section of the Peace Preservation Act has not been put in force — the section conferring powers of examination on any magistrate who has reasonable ground for believing that a particular person can give material evidence? My hon. Friend should recollect that the magistrate must have reasonable ground for believing that material evidence will be forthcoming. And the difficulty is to find reasonable grounds for believing that material evidence can be given, and if reasonable grounds do exist for so believing, another difficulty is to induce the witness to give evidence at all. I am informed that among the magistrates of Westmeath this difficulty has been felt and expressed very strongly. The Committee might, I think, very fairly examine into the application and working of this and other sections of the Act. They might also examine some official persons who have expressed opinions as to the grounds of those opinions; and, above all, they might examine non-official persons, country gentlemen, and others who will not give their opinions in Dublin Castle, but who might be willing to do so before a Select Committee. Having disposed of the introductory portion of my remarks—["Oh!"] —hon. and right hon. Gentlemen opposite should, at all events, extend to me the same fair play which they would claim for themselves. I see some hon. Members sitting on the front Bench opposite who have crotchets of their own on various points; yet, if you were to talk to them for weeks, the same amiable smile of incredulity would still play upon their countenances. I have done what appears to me sufficient to convince them, and it is their own fault if they are not convinced. The right hon. Gentleman the Member for Buckinghamshire, and my right hon. Friend, if he will allow me to call him so, the Member for North Lancashire, have told us there is no necessity for this inquiry, because they are ready to afford us every assistance to carry an effective measure. But what do they suggest? The only remedy I have ever heard from that quarter is the suspension of the Habeas Corpus Act. Now, this suspension is an extreme measure in the case even of political exigency or treasonable conspiracy. But within the memory of living man it has never been applied to crimes not in the nature of crimes against the State. Besides, the suspension must be only temporary. You may take up half-a-dozen men in Westmeath, send them to Mountjoy Prison and keep them there for eight or nine months, and for that time the country will perhaps be quiet; but, at the end of that time, and just because the country is quiet, public opinion will become clamorous for the removal of restraints upon its liberties; and as soon as the Suspension Act expires these men go back to their own districts heroes—if not martyrs — and the same crimes are repeated and intensified. Therefore, if you tell me that the suspension of the Habeas Corpus Act is a complete panacea for crimes of this kind, that is a doctrine which I cannot subscribe to. There are hon. Members below the Gangway — some of them Irish Members, and some of them claiming to be more Irish than the Irish themselves, on account of the number of Irish men and women included among their constituents—who object to the proposals of the Government. I ask these hon. Gentlemen, first, do they deny the facts? Secondly, if they believe that exceptional legislation is not needed, let them help us to probe this matter before the Select Committee: no one will be more delighted than I shall be to adopt, if I am justified in doing so, the conclusion at which they seem to have arrived. As an Irishman, and as an Irish Member representing an Irish constituency, and not the less so that I now sit on the Treasury Bench—for my constituents have elected me again since I accepted office—representing, I repeat, a constituency containing all the elements of Irish life, Orange and Green, Catholic and Protestant, to the fullest extent—I do say that it would afford to me, and that it would afford to Her Majesty's Government, the greatest satisfaction if, as the result of the labours of the Committee, it should clearly appear that Westmeath may be safely left to the operation of the law as now existing. My hon. Friend the Member for Waterford (Mr. Osborne) said that this is to be a Secret Committee—that the noble Lord the Chief Secretary for Ireland asserted this, and that the right hon. Gentleman at the head of the Government repeated it. Nothing of the kind—there is no question of a Secret or non-Secret Committee before the House at all. Let the House be well convinced of that. Such a proposal was never contained in the Resolution at all. My noble Friend undoubtedly said, in giving Notice of the Motion, that when the Committee was appointed he should move that it be a Secret Committee. ["Oh, oh!"] Why should hon. Gentlemen interrupt? I am only stating facts, and whether they make for me or against me, at first sight in the long run, I believe, facts never do any harm. I am not one of those advocates who wish to hold back facts, and, ostrich-like, to keep their heads in the sand. The question stands in this way. If the House vote for this Committee, it will sit as soon as its Members are appointed. It will hold its meetings in the usual manner, and I trust there will be no necessity for secresy whatever. But what my right hon. Friend the Prime Minister says is this—though he is not asking the House to give any vote upon it now—that if, in the course of taking evidence, it occurs to the Committee that it would be a wise and judicious thing that some one portion of the evidence should not be printed, and that at a particular time the doors of the room should not be opened even to the Members of this House, that then the Chairman may come to this House and ask on behalf of the Committee for leave to sit with closed doors. This House may refuse the request. I apprehend that very much will depend upon whether the Chairman is a Member possessing the confidence of this House; but, in any event, no one will be bound to vote in favour of secresy or against it—it will be a new and fresh question. At any rate, the House will be master of the question. I must now say one word on the origin of the debate—the speech of the right hon. Gentleman the Member for Buckinghamshire. As I have said, I do not yield to any Gentleman who sits on the other side in admiration for the right hon. Gentleman, but I believe he was in no degree justified in passing the criticisms he did upon the measures of the Government in connection with the Motion for this Committee. What are the facts? On the 28th of July, 1869, the Irish Church Bill received the Royal Assent. On the 1st of August, 1870, the Land Bill received the Royal Assent. This last is not yet nine months in opetion, and are you to expect it to operate like a charm? Can you expect the full result of these remedial measures to show themselves before the measures themselves have been two years in existence? Any Gentleman who knows anything about law, or the condition of the country, knows that there has not yet been time for these measures to be thoroughly known by the country; and I firmly believe that when they are known and appreciated in Ireland the results will be very different from what they are at the present time. I concur in the statement of my right hon. Friend the President of the Board of Trade, that, with the exception of Westmeath, that country is at present enjoying an unwonted degree of prosperity. We speak in the Motion of other counties besides Westmeath; but they are portions of territory which extend geographically into and around Westmeath, though they do not form part of it politically, or for municipal purposes; and our object is that if a crime is shown to have occurred on one side of the border or the other we shall not on that account be precluded from going into the subject. But, substantially, the inquiry will be limited to Westmeath. When the facts are reported to the House, and the House and the Government have seen and considered them, whatever the Committee may then recommend—even if it should be legislation of the most penal character, or no legislation at all—the Government will bring an unbiassed judgment to bear upon the question, and will deal with it as they have dealt with all measures relating to Ireland—from a broad and statesmanlike point of view. And if it should be shown that no necessity for exceptional legislation exists, no one will be more gratified than the Members of Her Majesty's Government; they will rejoice if Westmeath can be safely left to yield to the same healing influences that have made themselves felt in all other parts of Ireland.

Dr. BALL: Sir, two different matters have been introduced into this discussion from which, although by no means unconnected, yet, unless they are kept distinct when under our consideration, an inevitable confusion of ideas must arise. One subject in debate has been the social condition of Ireland as regards crime; and another has been the political position of that country, the claims and rights of its inhabitants, and their relation to the British Government. No doubt there is in Ireland, as I have admitted, a certain relation between these subjects; but it is also true that in order to have a clear perception of the social condition of the country, you must examine them separately. It is with the former of these subjects—the degree in which agrarian crime prevails, the extent of the organization which produces and effects it—that the Motion of the Chief Secretary for Ireland is immediately concerned. It would, in my judgment, have been better that in debating the propriety of the Motion, no topics of a political nature had been introduced; but as they have, they cannot now be evaded. Sir, when I first read this Notice of Motion I own it did occur to me that the Government were about to adopt a decisive line of action, and that they, possessing important secret information, were about to afford that information to the House, with a view to induce its acceptance of vigorous measures; but since I came into the House, and heard the explanations which have been given, I discovered the real intention—or, rather, the new intention—of the Ministry. I have a suspicion that the Motion came from some man not biassed by technicalities or delicate sensitiveness, and that the object was to wring from witnesses the real state of the case, and to obtain by secresy—for by secresy only it could be obtained—the inside and the heart of this mystery. But what do I now find? I find that the Motion dwindles to a mere inquiry—a Committee is to be appointed—for what?—to record outrages and to tabulate offences. Yes, the whole result to follow from the intellectual power to be collected in this Committee is the acquisition and digest of statistical information. There is not an official in any public department who could not, from existing materials, accomplish this fact as effectually. Do I err in my view of the original intention? Look at the terms of the Motion—"That a Select Committee be appointed to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County"—not crime, mark—not outrage, not offences, not the external indications or public manifestations of evil designs—but "the nature, extent, and effect of a certain unlawful combination and confederacy existing therein"—that is, it was the internal machinery, not external acts, was to be investigated. This "unlawful combination and confederacy" was expressly stated by the noble Lord to be the Riband Society. The Riband Society has existed for a lengthened period, extended itself over a wide range of country, supported and maintained its organization with consummate success. How are you about to deal with it? You are about to have a public Committee—without the Government avowing that they have a particle of information in respect to the conspiracy itself—to investigate the crimes it has perpetrated. I would refer to Chief Justice Whiteside's Charge, published in the journals of to-day, and remark that the Riband conspiracy is not a mere conspiracy for the perpetration of agrarian crime—it is an organized confederacy for controlling and governing the country according to the rules and laws of that organization. It is not peculiar to Westmeath. No one knows Westmeath better than I do, for I was appointed Crown Prosecutor of that county in 1852, and retained the office for many years. There is no new information, therefore, to be brought to me about it, as I know perfectly well what exists there. Is the confederacy confined to Westmeath, Meath, and the King's County? No. During a large part of the period when I held the office of Crown Prosecutor I was informed that the heads of the conspiracy were in Manchester. How futile, then, an inquiry confined to three counties! The amount of outrage is no test of the power of this confederacy. On the contrary, the amount of outrage often shows only the amount of resistance to the decrees of the secret tribunal—the fact of no outrages occurring shows that those decrees have been implicitly obeyed. Since this inquiry was announced, and since you have limited the scope of the inquiry to three counties, two outrages have been perpetrated elsewhere, equal in atrocity to any which have occurred in Westmeath. On the very night when the late Chief Secretary for Ireland was occupied in declaring to this House the peace, the tranquillity, the harmony, and the absence of crime in every county in Ireland except these three, a party of armed men fired shots into a dwelling house on the property of Lord Leconfield, in Clare—far from Westmeath—and assailed with violence its inhabitants. On the same night in Limerick, another county distant from the sphere of your proposed inquiry, an armed party proceeded to the house of the steward of Mr. Conyers, of Castle Conyers, at 7 o'clock in the evening, and shot him dead. The truth is, that the organization extends over a number of counties; it is not always necessary for it to develope itself in action; but when it is, in accordance with the system adopted by the confederacy, men are brought from a distance to execute the sentences which have been pronounced by some secret tribunal. The outrages to which I have just referred are as decisive a proof of the existence of the Riband conspiracy in Clare and Limerick as any that can be brought before the Committee from Westmeath. I have referred to the Charge of Chief Justice Whiteside in Meath. It gives a complete picture of the state of that county. I anticipate that this day Chief Justice Monaghan has, in a Charge to the Westmeath Grand Jury, supplied similar information as to that county. What can your Committee add? Some facts in the former Charge demand your attention. One of the worst outrages in the county of Meath was perpetrated because a farmer used a scythe instead of a sickle. Another was committed because a man had discharged a servant. A third was the case of a farmer whose crops were burnt not because he had committed any offence, but because he was personally unpopular. As long as I remember—as long as any barrister in Ireland connected with the administration of the criminal law can remember—outrages of this character have been committed. The organization has, indeed, changed its head-quarters; but it has always had money at its command and men of ability, somewhere or other, directing its movements. The Government have from time to time received secret information about it, and, consequently, to those who have been engaged in the administration of the criminal law in Ireland, much more respecting its proceedings has been known than it was expedient to reveal to the public. Knowing this, and assuming the Government had some valuable information not as to offences, but as to the conspiracy itself, and this not from official persons, but from members of the confederacy, when I first read this Notice my expectation was that the Government were about to proceed, though with the additional element of secresy, as they did in the case of Sheffield, where a conspiracy was rife, limited in area, but analogous to this in its interference with social relations. In that case a Royal Commission was sent, with power to pardon and deal with the persons engaged in the organization, so as to reach not merely external acts and manifestations, but the combination itself. I confess I should have preferred a Royal Commission to a Select Committee of this House. I have a suspicion that the Government originally intended something of that kind. I am not prepared for miserable, petty, occasional expedients to meet an organization which has lasted beyond the memory of any living lawyer. I am opposed to temporary shifts and expedients being resorted to by a Government which commands a large majority. I say, it is time that some action should be taken, and action wholly different from that indicated by the speech of the Solicitor General, which amounts to whispering with bated breath—"Good sirs, see all we have done for you, be kind enough to abstain from crime." Why, the men who are engaged in these transactions, whom I have prosecuted, and seen in the dock, are not taken from the rank of society and the class in life which would be either affected or influenced by the measures which you are pleased to term remedial. I do not say that there may not be difficulties in the way of a Royal Commission and of secresy; but what have you got now? You are told by the Government it is to be what of all Committees is the least efficacious for protection—avowedly open, but secret on occasions and for particular individuals. The object of secresy is the protection of the individual—to obtain information from the very heart of this organization—to crush it out upon the evidence of informers, of men who are intimately acquainted with it. Universal secresy might attain this; occasional, never. Will it not be known who has been examined in secret, and if it is, what doubt can there be who it is that has told the tale and betrayed his accomplices. What you imagined whispered in the cellars will be proclaimed on the housetops? Instead of being a statesmanlike attempt to grapple with a great evil, founded on adequate information, this Motion has dwindled down, I regret to say it, to a mere political move. There has been an extraordinary pressure put upon the Government. The magistrates of Westmeath remonstrated, and the Lord Lieutenant made use of expressions from which the Government cannot now escape. He announced, as became his honourable and upright character, his desire to maintain the law, and his knowledge of the extent to which it was systematically violated—he told the magistrates of Westmeath he would protect them if he had the power, and that he would seek the power. The Lord Lieutenant has given this pledge on undoubted information; but the Government have a number of supporters below the Gangway who oppose the granting of this power. Is this proposal of a Committee a device to escape from the pledge? It is not becoming in the Government to give a positive and express promise through the mouth of their chief representative; and then to put up the Solicitor General for Ireland to say we are not going to give the Lord Lieutenant this power now—possibly we may never give it to him—but we shall have an inquiry where the magistrates and police, and possibly the offenders themselves, shall be subject to a skilful cross-examination. Information is to be obtained not from magistrates and grand jurors, but from the farmers who suffer from this tyranny, and many of whose sons are involved in it, from the small traders in whose shops the plots are planned and matured, and from the Roman Catholic clergymen who sprung from the people—know everything of the people. But do you imagine any of these will give evidence before a Committee which offers no protection. The Committee will be an absolute abortion both in its inquiry and in its results. But I see other difficulties in the way of this Committee. What are the advantages stated by the noble Lord the Chief Secretary to be anticipated from its appointment? He said that inquiry would be just to the Government, just to the people of Ireland, and just to the magistracy. That opens a wide field. There are three separate heads — the relation of the Government itself—mark, the relation of Government—to the present social condition of Ireland; the relation of the people of Ireland—mark, of the people of Ireland, not merely Westmeath, whose innocence, said the noble Lord, ought to be established; the relation of the people of Ireland and their crime relative to the crime that now exists in Westmeath; and mark also—"just to the magistracy." These are three subjects of inquiry, independently of the Riband organization and of the means to be devised for suppressing it. How is this Committee to be formed if these are to be the subjects of its inquiry? Are the Government to nominate a Committee who are to adjudicate upon their own merits? Is the Committee to be selected from the Ministerial Bench and from the front Opposition Bench; or is it to include those who represent the feelings of Nationalists and semi-Nationalists? Is it to do justice to the people of Ireland without consulting those who assume to represent them? The Solicitor General says the hon. Member for Cork (Mr. Maguire) will be able to cross-examine the witnesses. The Solicitor General is himself an admirable hand at that operation, and, if the Committee is to comprise both these Gentlemen, I would rather be a listener than a witness. If the Committee is to be a Committee of this kind, it should be separated from the leaders and organizers of political parties. But I have grave doubts as to the propriety of such an inquiry; I have doubts as to what will be its scope and range; and I have doubts of the possibility of forming this Committee, with such extended objects, so as to give satisfaction to those whose proceedings are to be investigated. Let us look to the Committee of Mr. Napier. Nothing has more determined me to oppose this Committee than the proceedings of Mr. Napier's Committee. That Committee was appointed on the 10th of March, and reported in June, 1852. Now, is it proposed to this House that the Committee now moved for is to sit from the month of March to the month of June, engaged in these investigations, while Ireland is to remain in the state which is described by the Secretary for Ireland as intolerable? But not only do I think it likely that the Committee will proceed into the subjects indicated by the noble Lord, but I see a considerable number of others which may branch out from these. Thus, I think it not unlikely, as there has been a great deal said about the police force not being adapted for the detection of crime, that the Committee will enter into that subject; then I remember the right hon. Gentleman the Member for Liskeard (Mr. Horsman) last year asking whether religious teaching had been applied to induce a horror of these conspiracies in those engaged in them. Have there been proper remedies applied by education, in the bringing-up of these people, and how far is their violence the consequence of their want of it? If you go into causes and remedies, where may not the Committee wander? What limit is there to their investigations? The Solicitor General has read the names of Sir Joseph Napier's Committee; great names, undoubtedly! But what did that Committee wander into—even into suggesting a Land Bill. The last recommendation of the Committee was that a Land Bill should be introduced to revise the relations of landlord and tenant in Ireland. What new remedy—what new manner of procedure — may not be introduced into the Committee now asked for? These things struck me as subjects that might grow out of this Committee, and they add to my objections to it. I ask, are you prepared now to delay useful legislation, which would meet this evil at once and protect those who are now suffering from this positive tyranny, until such a Committee shall have reported? That is the real question—for there is no doubt we are agreed as to the necessity of something being done. Is there a single Member of this House who is not anxious to terminate and crush this intolerable tyranny? If no one will advocate its continuance for a single hour, or for a single moment, then I ask what is the meaning of entering into this long, this elaborate, this possibly abortive inquiry, to terminate probably some time next year? And for what result? Short as has been the time during which I have sat in this House, I have learned very little good arises from a Blue Book. I will test it by this—is there anyone in this House who has read the Report and evidence of Sir Joseph Napier's Committee? I predict exactly the same fate for the evidence taken before this Committee, and its whole proceedings; no matter how able the Committee or sagacious their questions, they will simply pass away into a Blue Book. These Committees are meant for delay, they only produce delay, and no result but delay ever comes from them. If the Government are in earnest—if they really want an inquiry—why should they not accompany their proposal for a Committee with some immediate measure to be brought into operation in the meantime? What is to prevent them now from bringing in an Act—temporary if they choose—to enable them to seize the persons whom they say they can place their hands upon, and who are known to be the main authors of the various outrages which have taken place? What is to prevent that, I ask? It is perfectly idle to talk of the necessity of proof. There is one fact stated by Chief Justice Whiteside in his Charge which is to my mind decisive of the whole question—there are gentlemen in Meath who only leave their houses when accompanied by an armed escort, and who, without that armed escort, dare not attend the assizes as jurors. Can intimidation go further? Those who are not convinced by that fact, and by the statement in this House of the noble Lord the Chief Secretary, would not be convinced although Blue Book after Blue Book and tabulated Return after Return were laid on the Table. The hon. Member for Galway (Mr. W. H. Gregory), seeing the Government rather in a difficulty in this matter, came forward in a very marked manner at an early period of this discussion to throw his protection over them, and explain the reason why, instead of action, we had investigation. I was a good deal struck by the excuse he gave for the Committee. If there was not a Committee, he said, it was not impossible that the Leader of the Opposition might coalesce with Gentlemen on the Liberal side below the Gangway, and place the Government in a minority. This is certainly a most candid confession. What! This Committee, heralded with so much pomp, and announced with so much striking effect by the noble Lord, we are now informed, on the authority of a supporter of the Government, put forward at an early period to defend their policy, is by no means aimed at the discovery and extinction of the Riband confederacy, but simply a measure to prevent the Ministry from being beaten by their own friends, and driven out of office. What a glimpse this gives of the administrative firmness and capacity to deal with crime of the Government! When the Peace Preservation Bill of last year was before the House it was opposed; there was a Division on it; the exact number who divided against it were, I think, 15; but even these 15—this band of brothers—were the terror of the Government Bench, under fear of which their best enterprizes

> "Turn awry, and lose the name of action."

The defence of the hon. Member for Galway comes to this—that the apprehension of the junction of these 15 men with the hon. Member for Buckinghamshire necessitated the Government to take this course. The fact I do not presume to controvert. Indeed, I have before this myself observed that the Ministerial Bench lives in continual terror of some move in that quarter. Another instance of unfounded timidity! Never were followers more easily managed, in spite of all their angry protests duly transmitted to the Irish papers—

> "Hi motus animorum et hæc certamina tanta
> Pulveris exigui jactû compressa quiescent."

And, to follow the classical allusion, the "dust" is not very expensive—a letter to the Member for Meath, expressing sympathy with the Pope—a Postmaster General—tears in his eyes, distraction in his visage, lamenting over the downfall of the temporal power of the Pope—these suffice. It is impossible gravely to treat such an excuse as this, and what other has been offered? Sir, this proposal for a Committee prevents and supersedes action which is indispensably necessary. Does the right hon. Gentleman at the head of the Government, who calmly admits that they have in the background a remedy some time to be applied, never realize to himself how many lives may fall a sacrifice to this cruel system of intimidation by the delay of his measures?—what right have you to enter into a secret discussion of the merits of the case when men are being slain before your face? The Government admits the facts—not one person on the Treasury Bench has ventured to deny their existence. The Government have plainly told the House that they reserve the remedy. I do believe they have determined on the remedy; and, that being the case, they calmly gaze on the daily succession of outrage, the perpetual violation of the law, and the audacity which affronts the majesty of England with its crimes. Sir, I advocate immediate action. I am not averse to a thorough searching investigation, provided it does not interrupt your action. I am not averse to give the Government the most stringent powers they can ask, in order to obtain information, and not only to stop these outrages for the present—to stand between the assassin and his victim—but to root out the seeds of this grievous pestilence from my unfortunate country. If you will only act, and act at once, to extirpate these evils, I will not withhold from you any power. Place your country above your party; stand in the attitude in which your predecessors—Earl Grey, Earl Russell, Sir Robert Peel—stood, and I will not oppose the most rigid and determined policy. But I demand immediate protection for those who are endangered; I demand that you shall not palter with crime and confound the moral relations in men's minds by suggestions that the presence or the absence of legislative measures can alter the quality of actions such as these. Sir, if nothing had been introduced into the debate beyond the consideration of the original Motion I should not have proceeded further. The view I have presented is short and simple, with nothing of party views or party ideas; not produced to embarrass, but offered to assist action, and awaken to a sense of the tremendous responsibility of further procrastination. But topics referred to by the late Chief Secretary for Ireland, and which, as at the commencement of my observations I have said should have been kept distinct from questions relating to agrarian crime, also demand attention. Excluding the consideration of crime and outrage in the three counties named in the Motion now before us, my right hon. Friend (Mr. Chichester Fortescue) has expressed the highest gratification at the state of Ireland; and the right hon. Gentleman at the head of the Government has been pleased to say that his self-love is perfectly satisfied with its present condition. Sir, I shall candidly state what I think of the success of the policy of Her Majesty's Government. But before I do so, I crave permission to abate somewhat from the weight of my right hon. Friend's (Mr. Chichester Fortescue's) authority in this matter by asking why, if Ireland be as he has described, has he ceased to be officially connected with the country? I do not deny the charms of the Board of Trade, or doubt that his accomplished and refined mind is engaged with rapture on the occupations of that Office; or that at no period of his life did he ever feel that he was more congenially engaged than in the accumulation of figures and the multiplicity of calculations which now employ him. But notwithstanding all the attractions of the Board of Trade, it does strike me that if Ireland were now what he would have us think it is, he would have remained at his old post to watch the nascent prosperity of the country for which he had done so much, and to receive the electric shock of a nation's gratitude. Suggesting, therefore, this reason for caution before yielding to the authority of my right hon. Friend, I proceed to examine whether his flattering picture of the state of Ireland—crime now altogether apart—is justified by the facts, and whether the Government have good reason for their satisfaction. To determine this, we must first decide some questions and principles, respecting which there has never been unanimity among political thinkers. When a nation of inferior power and strength is united to one of infinitely greater power, there are two theories entertained as to the advantage arising from that relation. The one theory holds that the lesser and inferior country gains—that the fact of being incorporated into and made a part of the glory, prosperity, and power of a far greater State is in itself an ample equivalent for the loss of independence. The other theory—and it has lately come into great prominence—is that in the intellectual rivalry of separate and independent small nations, in their own autonomy and self-government, lies the true secret of human advancement and prosperity. The advocates of the first theory point to Rome, those of the second to Greece, in support of their opinions. Now, when I am asked whether the policy of Her Majesty's Government has operated beneficially in Ireland, I am obliged, before I answer you, to ascertain your view of these two theories. If you incline to the first theory, the policy of Her Majesty's Government in regard to Ireland can scarcely be considered beneficial, for it is a policy to encourage separate nationality—and in its immediate practical effect has revived and resuscitated the spirit of separate nationality in Ireland. If you hold the second theory, then I say their policy is successful — thoroughly successful. Does the right hon. Gentleman at the head of the Government know about the late elections that have occurred in Ireland, or about the societies that have been formed in that country? I have a strong impression that, amid the abstruse speculations and the great affairs which engross his attention, he has not had an opportunity of directing his mind to these matters; and I doubt, if he had, that he would have stated his self-love was satisfied with the result of his measures, and needed no solace. Consider the Meath election! Meath is the premier county of Ireland, close to the metropolis, and inhabited largely by Roman Catholic noblemen and gentry, Roman Catholic farmers, and a Roman Catholic middle-class of wealth and independence. A vacancy in its representation occurs — Mr. George Plunket, brother of the Earl of Fingall—and what, in Ireland, is not less important, brother also of a distinguished member of one of the monastic orders—a man whose character and attainments would render him an honour to this House if returned to it, comes forward to contest the county. The whole force and power of the Government are arrayed on his side; the entire strength and influence of the Roman Catholic clergy are brought to bear on his behalf; he has rank, station, money, and abilities to aid them. On the Sunday night before the nomination, a northern Presbyterian, who had never entered the county before—a man whose only merit was, as he himself stated, that his life had been devoted to undying enmity to British connection—is returned, without expending a single shilling, at the head of the poll by a majority of 900. I repeat my doubt whether the right hon. Gentleman knew of the circumstances of that election when he proclaimed that the condition of Ireland is eminently satisfactory. It is not satisfactory to me—neither does that election satisfy me. Whatever may be faults of the right hon. Gentleman at the head of the Government looked at from an Imperial point of view, whatever may be my own opinion of his policy, I say that he might fairly expect to return such a candidate as Mr. Plunket for the Roman Catholic county of Meath. I further say that to find his defeat accomplished by an advocate of Repeal, is a subject of grave alarm. Sir, in the year 1832, and some years afterwards, Mr. O'Connell raised throughout Ireland an agitation for a separation from England. The hearts of the young were stirred:—I well recollect, in my own collegiate career, how that doctrine of separation, and the question of the advantages of self-government and autonomy were keenly discussed. What have we now?—all this repeated—and even an organized association existing in the City of Dublin, which, under the miserable veil of "home government," aims at an independent Parliament, and its inevitable consequence—separation in counsel and in opinion from England. I say this, too, is a subject of alarm; for an association of this kind, met by no adequate opposition from those in authority, gains adherents. Sir, when Mr. O'Connell's agitation came to a head it was met by the statesman-like attitude of Sir Robert Peel and Lord Russell. They did not fan the flame by declamation about old wrongs or grievances of sensibility which must be redressed, or by declaring that great questions must be looked at from an Irish and not from an Imperial point of view, and dealt with according to Irish sentiment. "Repeal the Union!" said Sir Robert Peel, "as soon re-enact the Heptarchy." Is that the line taken by the present Government? That dangerous movement was crushed by the firmness of Sir Robert Peel and Lord Russell; and never revived until the right hon. Gentleman went through Lancashire enunciating a policy of nationality for Ireland, and the gratification of all the fantastic ideas that have germinated in the minds of the old native race of Ireland. The agitation for a separate nationality was extinguished until the course pursued by the right hon. Gentleman kindled it afresh and fanned it; and now I warn him, and I warn the House of its spread. Ideas relegated for for years to the dreams of visionary enthusiasm, are again re-produced and embodied in action. What was the case at the last election held in Ireland—namely, at Galway? The candidate had to insert in his address a declaration of his adhesion to this principle of "home government." Is the right hon. Gentleman prepared, as the Prime Minister of England, to tell the House that Repeal of the Union is an open question—that he views it with satisfaction—that it is to be discussed, and perhaps sent to a Secret Committee for consideration. I say that at no period has the question assumed the gravity, the importance, and the danger it presents at this moment. This is the immediate effect of basing your policy, not upon Imperial, but upon Celtic ideas; of flattering and fostering those Celtic ideas, and giving to them the sanction of intellectual authority and official power—it is the consequence of doing this in the case of a people who are incapable of discriminating; a people with whom words are things and promises are realities. Sir, I have trespassed on the attention of the House longer than I intended; but, in justice to the right hon. Baronet (Sir Robert Peel), whose government of Ireland has been the subject of comment, I will say that if the present Government leaves the affairs of Ireland in the same condition in which Lord Palmerston left them at his death and in which the right hon. Baronet, on his retirement soon after, left them, they may well be proud. Was there then any agrarian crime; was there then any agitation for the repeal of the Union, or was there a single whisper of discontent? No. And when the distinguished historian of Lord Palmerston's life comes to record this portion of his history, he will be able to present a picture of the highest financial and administrative success in Ireland; and he will have to record that the measures and the speeches by which that success was attained are in direct antagonism with the measures and speeches of the present Prime Minister. Then was pursued towards Ireland a wise, a generous, and a philanthropic policy, and the history of that time furnishes a complete condemnation of the policy of the present Government.

MR. MAGUIRE moved the adjournment of the debate.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. Maguire.*)

MR. GLADSTONE: I cannot, on the part of the Government, accede to that Motion. If we are to adjourn the debate upon a question of this nature at 12 o'clock on the second night of its discussion, it is idle to suppose that the Government will be able to get on with their measures.

The House *divided*:—Ayes 178; Noes 297: Majority 119.

Previous Question again proposed.

MR. MATTHEWS said, as many independent Members desired to address the House on the subject, he would move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Matthews.*)

MR. GLADSTONE: The hon. Gentleman seems to think that because he and other hon. Members wish to address the House it is therefore impossible to proceed beyond 12 o'clock. ["Hear!"] If that is the view of the House I will not press my own view. This House has much to do—perhaps it never had more in the way of practical work awaiting its notice; and if this practice of moving the adjournment of debates at a quarter to 12 is to be resorted to immediately after the sense of the House has been declared by a very large majority, it is a method of obstructing Public Business against which I shall certainly record my protest by taking another Division if necessary.

MR. DISRAELI: I am quite prepared to support Her Majesty's Government in going on with the debate, and I should not in any way approve the present Motion if I had not evidence in my possession of the fact that several Members who are entitled to attention on both sides of the House wish to address it on this, which is certainly a very important question. It appears to me, having some experience in conducting the debates in this House, that it would not be possible to conclude the present debate in less than three or four hours. Therefore, I think it would be better, on the whole, to agree to the proposal which has been made; but, at the same time, if Her Majesty's Government wish to go on with the discussion, I shall not support or sanction any Motion for its adjournment.

MR. HORSMAN: In the last Division I voted with the minority, as a protest against the system recently introduced, and practised by the present Government, of taking up an undue share of every evening by speeches from the Treasury Benches. To my own knowledge the system was never carried on to such extent before as now, when on each evening we have two long speeches from the Treasury Bench, and other two from the front Bench on the Opposition side of the House. In fact, the great debates in this House are now becoming duels between the two front Benches; and for this reason, I, as I have stated, voted in the minority in the last Division.

SIR JAMES ELPHINSTONE: As an independent Member of this House, I for one, do not contemplate any prospective legislation in this House with very great satisfaction; and therefore if my hon. Friend perseveres in his Motion I shall be most happy to support it by my vote.

MR. MATTHEWS: After what has fallen from the right hon. Gentlemen on the two front Benches, I beg to withdraw my Motion.

Motion, by leave, *withdrawn.*

MR. SPEAKER thereupon called upon Mr. Maguire. That hon. Gentleman, however, indicating that he did not propose to address the House—

Mr. DELAHUNTY rose—

Mr. CAVENDISH BENTINCK: I rise to Order. I wish to know what is the Question now before the House?

Mr. SPEAKER: The hon. Member for Dungarvan having, by leave of the House, withdrawn his Motion for the adjournment of the House, the Question stands that the noble Lord the Chief Secretary for Ireland having moved a Resolution for the appointment of a Committee, the hon. and learned Member for the King's County (Mr. Serjeant Sherlock) has moved the Previous Question; and the Question proposed is, "That that Question be now put."

Mr. DELAHUNTY said, the right hon. and learned Member for the University of Dublin (Dr. Ball) having thought proper to bring before the House the question of Irish politics in reference to the "Home Government" movement, he (Mr. Delahunty) thought it right, on the part of some Irish Members of the House, to state why it was that such a feeling prevailed in Ireland, and how it would be easy to eradicate it for the purpose of securing the cordial co-operation of Ireland in support of Imperial legislation. As a supporter of the policy of the late Mr. O'Connell, who never did anything but what he conceived to be for the benefit of Ireland, he had a right to repudiate the sentiments put forward by the right hon. and learned Gentleman, and to say that he (Mr. Delahunty) thought at the time that Mr. O'Connell agitated the question of the repeal of the Union that he was right in so doing, and he thought so now. Mr. O'Connell agitated for a repeal of the Union by a separate Parliament in 1841; and he did so because he found by experience there was no getting the Imperial Parliament to grant equal laws for Ireland with England. He (Mr. Delahunty) would not have come into the House, except for the purpose of trying to get Members to turn aside from the path which they had hitherto followed, and to try to make equal laws for Ireland. Why had Ireland suffered? Why had the population of Ireland diminished? Emphatically, he thought it was because Ireland had different laws from the laws of England. He thought Her Majesty's Government deserved great credit for the attempt they had made to ameliorate the condition of Ireland. The people of Ireland thought that the question of religious liberty should be set at rest; they also thought that fair play between landlord and tenant should be secured, and the Prime Minister of England had done his best to meet the wishes of the people on these two subjects. All that the people of Ireland wanted was employment, through the revival of manufactures, having which they would pull with England against any attempt at foreign aggression. He should, however, vote against the Motion, because he considered the Committee totally unnecessary. Let the Government follow up the measures which they had inaugurated by other measures of an equally beneficial character to those of the last two Sessions, and they would have Ireland attached to them and to the country with a determination to do or die.

Mr. SPEAKER having put the Previous Question, "That that Question be now put"—

Mr. DISRAELI: If we go to a Division on the Question that has been put from the Chair, it will not be in the power of the right hon. Gentleman opposite to effect those changes in the Motion of the noble Lord the Chief Secretary to the Lord Lieutenant which were agreed to by the right hon. Gentleman and also by the noble Lord, and in that case if we vote for the Motion of the noble Lord we shall, in fact, come to a vote which transfers the duties of the Executive to the House of Commons. Therefore, I must say I cannot support the Motion.

Previous Question put, "That that Question be now put."

The House *divided*:—Ayes 398; Noes 26: Majority 372.

Main Question put.

The House *divided*:—Ayes 256; Noes 175: Majority 81.

Select Committee *appointed*, "to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same."—(*Mr. Gladstone.*)

AYES.

Acland, T. D.
Agar-Ellis, hon. L. G. F.
Akroyd, E.
Amcotts, Col. W. C.
Amory, J. H.
Anderson, G.
Anson, hon. A. H. A.
Anstruther, Sir R.
Armitstead, G.
Ayrton, rt. hon. A. S.
Backhouse, E.
Baines, E.
Baker, R. B. W.
Barclay, A. C.

Barry, A. H. S.
Bass, A.
Bass, M. T.
Baxter, W. E.
Bazley, Sir T.
Beaumont, Captain F.
Bentall, E. H.
Biddulph, M.
Bolckow, H. W. F.
Bonham-Carter, J.
Bouverie, rt. hon. E. P.
Bowmont, Marquess of
Bowring, E. A.
Brand, rt. hon. H.
Brand, H. R.
Brassey, H. A.
Brassey, T.
Brewer, Dr.
Bright, J. (Manchester)
Brinckman, Captain
Bristowe, S. B.
Brogden, A.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Buckley, N.
Buller, Sir E. M.
Bulwer, rt. hn. Sir H. L.
Bury, Viscount
Buxton, C.
Cadogan, hon. F. W.
Campbell, H.
Candlish, J.
Cardwell, rt. hon. E.
Carington, hn. Capt. W.
Carnegie, hon. C.
Carter, Mr. Alderman
Cartwright, W. C.
Castlerosse, Viscount
Cave, T.
Cavendish, Lord F. C.
Cavendish, Lord G.
Chadwick, D.
Chambers, M.
Chambers, T.
Cholmeley, Captain
Cholmeley, Sir M.
Clay, J.
Clifford, C. C.
Colebrooke, Sir T. E.
Coleridge, Sir J. D.
Collier, Sir R. P.
Colman, J. J.
Corrigan, Sir D.
Cowper, hon. H. F.
Cowper-Temple, right hon. W.
Crawford, R. W.
Dalrymple, D.
Davies, R.
Davison, J. R.
Dent, J. D.
Dickinson, S. S.
Dodson, J. G.
Dowse, R.
Duff, M. E. G.
Dundas, F.
Edwardes, hon. Col. W.
Edwards, H.
Egerton, Capt. hon. F.
Ellice, E.
Enfield, Viscount
Ennis, J. J.
Erskine, Admiral J. E.
Ewing, H. E. C.
Eykyn, R.
Finnie, W.
FitzGerald, right hon. Lord O. A.
Fitzmaurice, Lord E.
Fletcher, I.
Forster, C.
Forster, rt. hon. W. E.
Fortescue, rt. hon. C. P.
Fortescue, hon. D. F.
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Goldsmid, Sir F.
Goldsmid, J.
Goschen, rt. hon. G. J.
Gourley, E. T.
Gower, hon. E. F. L.
Graham, W.
Grant, Colonel hon. J.
Gregory, W. H.
Greville, hon. Captain
Grey, rt. hon. Sir G.
Grieve, J. J.
Grosvenor, hon. N.
Grosvenor, Lord R.
Gurney, rt. hon. R.
Hamilton, J. G. C.
Hanmer, Sir J.
Hardcastle, J. A.
Harris, J. D.
Hartington, Marquess of
Henley, Lord
Henry, M.
Herbert, H. A.
Hibbert, J. T.
Hodgkinson, G.
Hodgson, K. D.
Holland, S.
Holms, J.
Howard, hon. C. W. G.
Hughes, T.
Hughes, W. B.
Hurst, R. H.
James, H.
Jardine, R.
Jessel, G.
Johnston, A.
Johnstone, Sir H.
Kay-Shuttleworth, U. J.
King, hon. P. J. L.
Kinnaird, hon. A. F.
Knatchbull-Hugessen, E. H.
Lambert, N. G.
Lancaster, J.
Lawrence, Sir J. C.
Lawrence, W.
Lawson, Sir W.
Lea, T.
Leatham, E. A.
Leeman, G.
Lefevre, G. J. S.
Lewis, J. D.
Lewis, J. H.
Lloyd, Sir T. D.
Loch, G.
Locke, J.
Lorne, Marquess of
Lowe, rt. hon. R.
Lubbock, Sir J.
Lush, Dr.
Lusk, A.
Lyttelton, hon. C. G.
M'Arthur, W.
M'Clure, T.
M'Combie, W.
Macfie, R. A.
M'Lagan, P.
M'Laren, D.
Magniac, C.
Marling, S. S.
Martin, P. W.
Matheson, A.
Melly, G.
Merry, J.
Miall, E.
Milbank, F. A.
Miller, J.
Mitchell, T. A.
Monk, C. J.
Monsell, rt. hon. W.
Morgan, G. O.
Morley, S.
Morrison, W.
Mundella, A. J.
Muntz, P. H.
Nicholson, W.
Nicol, J. D.
Ogilvy, Sir J.
Onslow, G.
O'Reilly-Dease, M.
Palmer, J. H.
Palmer, Sir R.
Parker, C. S.
Parry, L. Jones-
Peel, A. W.
Pelham, Lord
Philips, R. N.
Pim, J.
Playfair, L.
Plimsoll, S.
Potter, E.
Potter, T. B.
Price, W. E.
Price, W. P.
Ramsden, Sir J. W.
Rathbone, W.
Read, C. S.
Reed, C.
Richard, H.
Richards, E. M.
Roden, W. S.
Rothschild, Brn. L. N. de
Rothschild, N. M. de
Russell, A.
Russell, H.
Russell, Sir W.
Rylands, P.
St. Aubyn, J.
Salomons, Sir D.
Samuda, J. D'A.
Samuelson, B.
Samuelson, H. B.
Sartoris, E. J.
Seely, C. (Lincoln)
Seely, C. (Nottingham)
Shaw, R.
Sheridan, H. B.
Simon, Mr. Serjeant
Sinclair, Sir J. G. T.
Smith, E.
Smith, J. B.
Stansfeld, rt. hon. J.
Stapleton, J.
Stepney, Colonel
Stevenson, J. C.
Stone, W. H.
Storks, Sir H. K.
Strutt, hon. H.
Stuart, Colonel
Sturt, Lt.-Colonel N.
Sykes, Colonel W. H.
Tollemache, J.
Tracy, hon. C. R. D. Hanbury-
Trevelyan, G. O.
Verney, Sir H.
Villiers, rt. hon. C. P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Wedderburn, Sir D.
Whitbread, S.
Whitwell, J.
Williams, W.
Williamson, Sir H.
Willyams, E. W. B.
Wingfield, Sir C.
Winterbotham, H. S. P.
Woods, H.
Young, A. W.
Young, G.

TELLERS.

Adam, W. P.
Glyn, hon. G. G.

NOES.

Adderley, rt. hon. Sir C.
Allen, Major
Amphlett, R. P.
Arbuthnot, Major G.
Arkwright, R.
Assheton, R.
Baggallay, Sir R.
Bagwell, J.
Barrington, Viscount
Barttelot, Colonel
Bathurst, A. A.
Beach, Sir M. H.
Beaumont, S. A.
Bentinck, G. C.
Bentinck, G. W. P.
Benyon, R.
Beresford, Lt.-Col. M.
Bingham, Lord
Birley, H.
Bourke, hon. R.
Bourne, Colonel
Brise, Colonel R.
Broadley, W. H. H.
Browne, G. E.
Bruce, Sir H. H.
Bruen, H.
Cameron, D.
Cartwright, F.
Cecil, Lord E. H. B. G.
Chaplin, H.
Charley, W. T.
Cochrane, A. D. W. R. B.
Cole, Col. hon. H. A.
Collins, T.

Corrance, F. S.
Craufurd, E. H. J.
Croft, Sir H. G. D.
Cross, R. A.
Cubitt, G.
Dalrymple, C.
Damer, Capt. Dawson-
D'Arcy, M. P.
Davenport, W. B.
Dease, E.
Delahunty, J.
Dickson, Major A. G.
Digby, K. T.
Dilke, Sir C. W.
Dimsdale, R.
Du Pre, C. G.
Dyke, W. H.
Dyott, Colonel R.
Eaton, H. W.
Egerton, hon. W.
Elliot, G.
Elphinstone, Sir J. D. H.
Ewing, A. O.
Fagan, Captain
Fawcett, H.
Feilden, H. M.
Fielden, J.
Figgins, J.
Finch, G. H.
Fowler, R. N.
Garlies, Lord
Gavin, Major
Gilpin, Colonel
Gooch, Sir D.
Gore, J. R. O.
Graves, S. R.
Greene, E.
Gregory, G. B.
Hamilton, I. T.
Hamilton, Lord C. J.
Hamilton, Lord G.
Hamilton, Marquess of
Hay, Sir J. C. D.
Hermon, E.
Hervey, Lord A. H. C.
Hesketh, Sir T. G.
Heygate, Sir F. W.
Heygate, W. U.
Hick, J.
Hildyard, T. B. T.
Hill, A. S.
Hodgson, W. N.
Holford, J. P. G.
Holt, J. M.
Hood, Cap. hn. A. W. A. N.
Hope, A. J. B. B.
Hornby, E. K.
Hutton, J.
Jackson, R. W.
Jenkinson, Sir G. S.
Jervis, Colonel
Johnston, W.
Jones, J.
Kavanagh, A. MacM.
Kekewich, S. T.
Kennaway, J. H.
Keown, W.
Knox, hon. Colonel S.
Lacon, Sir E. H. K.
Laird, J.
Learmonth, A.
Lennox, Lord G. G.
Lindsay, hon. Col. C.
Lopes, H. C.
Lopes, Sir M.
Lowther, J.
Lowther, W.
M'Mahon, P.
Maguire, J. F.
Mahon, Viscount
Manners, Lord G. J.
Manners, rt. hn. Lord J.
Matthews, H.
Mellor, T. W.
Meyrick, T.
Milles, hon. G. W.
Mills, C. H.
Mitford, W. T.
Montagu, rt. hon. Lord R.
Montgomery, Sir G. G.
Newdegate, C. N.
Newport, Viscount
Noel, hon. G. J.
O'Brien, Sir P.
O'Reilly, M. W.
Osborne, R.
Paget, R. H.
Pakington, rt. hn. Sir J.
Parker, Lt.-Col. W.
Patten, rt. hon. Col. W.
Peek, H. W.
Peel, rt. hon. Sir R.
Pell, A.
Pemberton, E. L.
Phipps, C. P.
Plunket, hon. D. R.
Power, J. T.
Raikes, H. C.
Round, J.
Sackville, S. G. S.
Salt, T.
Sandon, Viscount
Sclater-Booth, G.
Simonds, W. B.
Smith, F. C.
Smith, R.
Smith, S. G.
Smith, W. H.
Starkie, J. P. C.
Steere, L.
Sykes, C.
Synan, E. J.
Talbot, hon. Captain
Talbot, J. G.
Tollemache, hon. F. J.
Tomline, G.
Torrens, W. T. M'C.
Turner, C.
Vance, J.
Walker, Major G. G.
Walpole, hon. F.
Walsh, hon. A.
Waterhouse, S.
Wheelhouse, W. S. J.
White, hon. Colonel C.
Whitworth, T.
Williams, Sir F. M.
Winn, R.
Wise, H. C.
Wynn, C. W. W.
Yarmouth, Earl of

TELLERS.
Downing, M'C.
Sherlock, Mr. Serjeant

ECCLESIASTICAL TITLES ACT REPEAL BILL—[Bill 27.]

(*Mr. Attorney General, Mr. Gladstone, Mr. Solicitor General.*)

COMMITTEE.

Order for Committee read, and *discharged.*

The ATTORNEY GENERAL moved that the Bill be referred to a Select Committee, and explained with reference to an alleged application to him by Mr. Cobbett for leave to bring an action against Dr. Manning, that as the requisite memorial had not been presented, the matter had never been properly before him.

Motion made, and Question proposed, "That the Bill be committed to a Select Committee."

Debate arising.

Debate *adjourned* till *To-morrow.*

PETIT JURIES (IRELAND) BILL.

On Motion of Mr. O'Reilly, Bill to amend the Laws relating to Petit Juries in Ireland, *ordered* to be brought in by Mr. O'Reilly, Sir John Gray, and Mr. Murphy.

Bill *presented,* and read the first time. [Bill 61.]

LOCAL GOVERNMENT SUPPLEMENTAL BILL.

On Motion of Mr. Shaw Lefevre, Bill to confirm certain Provisional Orders under "The Local Government Act, 1858," *ordered* to be brought in by Mr. Shaw Lefevre and Mr. Secretary Bruce.

Bill *presented,* and read the first time. [Bill 63.]

METROPOLITAN COMMONS SUPPLEMENTAL BILL.

On Motion of Mr. Shaw Lefevre, Bill to confirm a scheme under "The Metropolitan Commons Act, 1866," relating to Blackheath, *ordered* to be brought in by Mr. Shaw Lefevre and Mr. Secretary Bruce.

Bill *presented,* and read the first time. [Bill 62.]

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Friday, 3rd March, 1871.

MINUTES.]—Public Bill—*First Reading*—Prayer Book (Tables of Lessons)* (29).

TABLE OF LESSONS—THE RITUAL COMMISSION.—QUESTION.

EARL STANHOPE: Your Lordships will remember that in the latter part of last Session you had before you a Bill providing a new Table of Lessons in the Church Services. It came before you under the most favourable auspices, for it had the unanimous assent and approval of the Rubrics Commission. It passed this House with very little difficulty, and was sent down to the Commons, where, as I understand, there was every reason to expect it would be supported by a very large majority. At the last moment, however, it was withdrawn by Mr. Bruce the Secretary of State for the Home Department, much to the surprise of those who felt an interest in the question. Now, with the great respect which I sincerely feel for Mr. Bruce, I cannot but think that his decision on that occasion was an unwise one. The abandonment of the Bill was a great disappointment to very many of the clergy, who had been expecting to enjoy the advantage, in common with their congregations, of the new Table of Lessons. It was also a serious inconvenience and even pecuniary loss to the publishers of the Book of Common Prayer, for they knew not whether to retain the old Table, which was likely to be laid aside, or to insert the new, which had not yet received any legal sanction. It has been already announced that Her Majesty's Government have in preparation a Bill for the establishment of the new Table of Lessons, and I desire to ask, whether that Bill will be introduced into this or into the other House, and when it is likely to be brought in? I also wish to know whether it will be confined to the Table of Lessons, or whether it will include other points recommended by the Ritual Commission, several of which are of great importance? There are recommendations for rendering, if I may say so, the Church Services more elastic, by giving the clergy power of dividing the services, postponing certain portions of them, and adapting them to the various circumstances of particular parishes, provided they have the sanction of the diocesan. These recommendations would, I think, provoke very little opposition in either House, and would give general satisfaction. There are other recommendations which would, indeed, cause great controversy, but which are of the greatest importance. I allude more especially to the recommendation with regard to the Athanasian Creed. As a member of the Commission, I strove on four occasions by various ways to attain the object for which I was anxious—namely, that the Creed, while still retained in the Prayer Book as a profession of our Christian faith, should not be used any longer in the public services of the Church. I found that a great many members of the Commission concurred in the desirability of that object; but, unfortunately, they were not able to agree to any one of the plans which I ventured to propose. The result was that the Commission recommended the insertion of an explanatory note. But, strange to say, no sooner had the note been adopted by the members present at one meeting, than a notice was signed by a band of 17, with the Archbishop of Canterbury at their head, making an actual majority of the whole Commission, protesting against the decision. It was the opinion of the Archbishop and others that, while attaching great value to the Creed as embodying the Christian faith, it was highly desirable it should be no longer used in the public services of the Church. The circumstances I have mentioned render it difficult for the Government to deal with the question; but, though difficult, it is of great importance. We ought not to lose this great opportunity of removing from the Church Services that which has for a long time been regarded as the main stumbling block in the way of many of those separated from our Church who desire to return to it. Looking, above all, to the damnatory clause, it would be a great boon to the Church to discontinue the use of the Creed in the public services without showing any disrespect to it or eliminating it from the Prayer Book. The noble Earl concluded by asking, Whether Her Majesty's Government intend to propose in this House a measure to establish a new Table of Lessons in the Church Services; and whether that measure will comprise also other points recommended by the late Ritual Commission?

THE LORD CHANCELLOR: Her Majesty's Government entirely agree with the noble Earl (the Earl of Shaftesbury) in the expediency of again introducing, and of passing as early as possible, a Bill which was received with such general approbation last Session. Accordingly, just before the noble Earl rose, I placed the Bill of last year in the hands of the Clerk at the Table, with the view of moving the first reading before your Lordships separated. It is, however, limited to the one object of providing a new Table of Lessons for the Church Services. Her Majesty's Government do not feel that it is desirable to enlarge the measure by adding other clauses carrying into effect other recommendations of the Ritual Commission; because, bearing in mind that none of these recommendations were adopted by entire unanimity, it seemed they might give rise to contentions or differences of opinion which might endanger the passing of this approved measure. As regards the Bill of last Session, it is true it passed this House with but slender alterations — alterations rather verbal than substantial — and it reached the other House at a time when, had it been wholly unopposed, it might have passed without difficulty. The period of the Session, however, was one at which it was impossible to carry any measure likely to give rise to discussion or opposition, and in the case of this Bill numerous Amendments were suggested, some of which were calculated to elicit considerable amount of feeling. It was therefore thought advisable to withdraw the Bill, there being at that time no prospect of its unanimous acceptance. The measure I now introduce has no such difficulties to contend with; but even if opposition should arise, it is presented at so early a period of the Session that there will be ample time for discussion. Were we to act upon other recommendations of the Ritual Commission, it would be necessary to meet the question mooted by the noble Earl with respect to the Athanasian Creed. The Government, however, do not think they ought to take upon themselves the responsibility of dealing with a subject which has already called forth an amount of somewhat acrimonious opposition, and which is likely to provoke yet more: they have therefore confined their measure to the new Table of Lessons, as being a subject likely to receive general approbation and speedy enactment.

Lord PORTMAN expressed his regret that the Government did not propose to carry out other recommendations of the Commission—especially one which had received the almost unanimous assent of the Commissioners, and would afford a speedy and inexpensive remedy to the unseemly contests which had arisen in certain parishes, and had necessitated the appointment of a Commission. It was a serious evil that such protracted and expensive litigation should be necessary when the Commission had suggested a very easy remedy. If the clergy defied the law, how could it be enforced against the parishioners? The Government should consider that if speedy and inexpensive justice could not be obtained through the Ecclesiastical Courts, there was another tribunal where it could be obtained, though in a painful and disagreeable manner. The law on the subject having been laid down by the Judicial Committee, there could be no difficulty in enforcing the Act of Uniformity under the common law as a misdemeanour, and if the clergy set the law at defiance they must not be surprised if this step was resorted to.

The Earl of HARROWBY said, he had heard with very great regret the declaration made by the noble and learned Lord on the part of the Government. He thought it impossible things could remain as they were. Some of the clergy had declared their intention of using the new Table of Lessons even if it did not receive the force of law, as it had received the approval of a Commission of considerable authority; and persons would be inclined to act upon other recommendations of the Commission in the same way, unless Parliament took action in the matter. It was high time that these questions should be settled. As to the Athanasian Creed, there was almost an unanimous feeling on the part of the Commission that, however valuable as a declaration of faith, it was not in its place in the services of the Church. It should be remembered that in no other Church was it employed in the same way, it being received as a document, but not introduced into the services. He should have agreed with the proposal to remove it from its place in the public services of the Church, had he not felt that it was beyond the scope of the Commission to deal to that extent with so important a question, its function being merely to deal with the rubrics. It was very inconvenient to act on one of the recommendations and leave the others in suspense, and he hoped that if the Government did not take them up some other Members of the House would do so.

LORD EBURY said, he entirely concurred with the noble Lord who had preceded him. He would not go over the ground they had traversed; but he must say it was paying a poor compliment to the Commissioners, after they had sat three years and had taken a great deal of trouble—which, however, they did not grudge—to act only on one, comparatively speaking, insignificant portion of their recommendations. Unless remedial measures were introduced the Church would be seriously prejudiced, and increased confusion would prevail. The noble Earl near him (the Earl of Shaftesbury), who had just returned from the Continent, had made several attempts to set some of these questions at rest, and it was high time that action should be taken.

PRAYER BOOK (TABLES OF LESSONS) BILL [H.L.]

A Bill to amend the Law relating to the Table of Lessons contained in the Prayer Book—Was *presented* by The LORD CHANCELLOR; read 1ª. (No. 29.)

House adjourned at a quarter before Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 3rd March, 1871.

MINUTES.]—NEW MEMBER SWORN—Earl of Bective, *for* Westmoreland.
SELECT COMMITTEE—Business of the House, Mr. Collins and Mr. White *added.*
PUBLIC BILL—*Referred to Select Committee*—Ecclesiastical Titles Act Repeal [27].

INDIA—BONUS COMPENSATION COMMITTEES.—QUESTION.

COLONEL SYKES asked the Under Secretary of State for India, When the Returns from the Bonus Compensation Committees in India and Correspondence, which he said he would communicate to the House, will be in the hands of Members?

MR. GRANT DUFF replied, that the Returns would be in the hands of hon. Members to-morrow.

EDUCATION—GRANTS TO SCHOOL MANAGERS.—QUESTION.

MR. R. BRIGHT asked the Vice President of the Council, Whether, considering the short notice given to managers of schools of the altered conditions under which any Parliamentary grant to be made after the 30th of April next is obtainable, he will postpone the date after which grants will cease to be made under "the Old Code?"

MR. W. E. FORSTER replied, that the time for the new Code to come into operation had been fixed with very great care by the Educational Department, and, therefore, he could not undertake to make any change with reference to it. The regulations respecting night schools would not come into operation until after the coming season for such schools. With regard to the general day schools, there was an introductory minute in the new Code, arranging among other matters that the provisions as to pupil teachers had only to be observed at the time of the inspection, and the remainder was arranged so as to suit the best working of the Department. He felt quite certain that it would be very much against the interest of the managers to postpone the date at which they were to receive grants under the new regulations.

ARMY—OFFICERS OF THE MILITARY TRAIN.—QUESTION.

MR. A. SMITH asked the Secretary of State for War, Under what circumstances three officers of the late Military Train, whose first commissions are dated respectively 21st September 1855, 23rd November 1855, and 29th October 1858, and whose commissions as Captains are dated respectively 26th December 1863, 21st June 1864, and 1st April 1868, have been appointed, under date 15th February 1870, Acting Commissaries, over the heads of officers of the late Commissariat whose first appointments date 1st April 1855, and whose commissions under which they held the relative rank of Captain were dated November 1859; and, whether one or more of such Commissariat officers had not been recommended for their special acquaintance with transport duties?

Mr. CARDWELL: Sir, in amalgamating the several departments which form the Supply and Transport subdepartment, a certain number of places in the higher ranks were assigned to the duties hitherto performed by the several departments respectively, and these places were assigned to officers who had hitherto performed the duties in the old departments. In the Military Train a large number of officers in the higher ranks declined to join the new department, and their juniors obtained the advantage. I am not aware that any departmental officers, qualified and wishing to undertake transport duties, were rejected.

SCOTLAND—DEFENCE OF THE FIRTH OF FORTH.—QUESTION.

Sir ROBERT ANSTRUTHER asked the Secretary of State for War, Whether it is the intention of the Government to take any action upon the representations which have been forwarded from various quarters as to the present defenceless state of the Frith of Forth?

Mr. CARDWELL: Sir, I must give the same answer to the Question of the hon. and gallant Baronet that I have given in reply to other Questions upon the subject—namely, that no provision is made in the present Estimates for that purpose.

STAFF OF THE POST OFFICE.

QUESTION.

Mr. HAVILAND-BURKE asked the Postmaster General, Whether, having regard to the late increase in the number of Letters and to the Postal Cards, the staff of the Post Office has been adequately added to; and, whether there is any time fixed within which Letters posted in the Metropolitan District ought to be delivered; and, if so, what time?

Mr. MONSELL said, in reply, that owing to the increased work which had to be performed in the Department, a superintendent had been appointed to take on other men either temporarily or permanently as the exigencies of the service required. With regard to the second Question, the hon. Member would find the fullest information upon the point in the *Postal Guide.*

INDIA—COLLEGE FOR ENGINEERS.

QUESTION.

Mr. DICKINSON asked the Under Secretary of State for India, What will be the charge on the revenues of India of the proposed College for Engineers; what the building will cost; what will be the annual cost of the establishment; and whether it is in contemplation to attach any and what retiring pensions in favour of professors or others employed in the institution?

Mr. GRANT DUFF: There will be no charge on the revenues of India on account of the Engineering College; the fees will be slightly in excess of the charges, including interest on the buildings and plant, say on £90,000. There will be 11 professors and instructors on salaries varying from £700 to £300 per annum. Of these, nine will be entitled to pensions under the provisions of the Superannuation Act, and two will not be entitled to pensions. If my hon. Friend would like the figures here they are—Annual sanctioned charge for College, as per regulations of Secretary of State in Council, £18,350; interest on buildings, &c., say £90,000 at 4 per cent, £3,600; total, £21,950. Fees, 150 students at £150, £22,500; difference, £550.

ARMY—RETIRING ALLOWANCES.

QUESTION.

Viscount BURY asked the Secretary of State for War, On what basis he has calculated the amount that will be annually required for retiring allowances to officers of the Army, in order to secure a proper flow of promotion; and, what will be the probable annual cost of such scheme of retirement?

Mr. CARDWELL: The first effect of the proposed changes will be not to retard, but probably to accelerate, the flow of promotion, inasmuch as the public purse will be substituted for that of private purchasers; and the employment of Army officers in the auxiliary forces will conduce to the same result. What may be the effect of the future cessation of purchase on the one side, and employment in the Reserve forces on the other, upon the flow of promotion is a question on which opinions differ, and there are no data which have been considered sufficiently ascertained to become the basis of actuarial calculation.

ARMY—STAMP DUTIES ON COMMISSIONS.—QUESTION.

Sir JOHN HAY asked the Secretary of State for War, If there is any precedent why officers of the Control Department who have not been promoted by the introduction of the Control Warrant should be called upon to pay the Stamp Duty for a new commission; and, further, if there is any objection to officers who have not been promoted, and who receive no benefits from the Control Warrant, and who are permitted to retain the privileges accorded to them by former Warrants until promoted, being allowed to retain their original commissions as issued to them for their services in their old departments, without having to give them up to be substituted by new commissions in the Control Department?

Mr. CARDWELL: As soon as the new commissions of those officers who have not been promoted have been signed and issued the old commissions will be received back, and the 30*s.* for the stamp returned.

EDUCATION—NEW REVISED CODE. QUESTION.

Mr. C. DALRYMPLE asked the Vice President of the Council, Whether it is to be understood, in the case of schools where the next inspection takes place after April 30th, *e.g.* during the month of May, and where the teachers and managers may have taught and worked during two-thirds of a year under the regulations of the present Revised Code, that they are now to be subject to the new restrictions and regulations of the Re-revised Code; and, whether it would not be more reasonable that each school should come under the new Code after, and not previous to, its next inspection?

Mr. W. E. FORSTER replied, that the hon. Gentleman would find in the Minute preceding the Code an answer to the first Question. After the 30th of April the inspection would be under the new Code. For the reason he had given, in reply to the Question of the hon. Member for East Somerset (Mr. R. Bright), it would be much against the interests of the managers if that course were not adopted.

ARMY—APPOINTMENTS TO FIRST COMMISSIONS.—QUESTION.

Lord EUSTACE CECIL asked the Secretary of State for War, Whether there is any truth in the report that appointments to first commissions and retirements by sale have in several instances been delayed by Government authority pending the passing of the Army Regulation Bill now before the House; and, if so, whether such premature forestalment of legislation is not in his opinion calculated to interfere with the efficiency of the Army by producing a strong sense of injustice amongst officers who are thus compelled to remain in the service against their will?

Mr. CARDWELL: Retirements by sale have not been delayed where officers are desirous of selling according to the established regulations. With regard to first appointments, those who had lodged their money have been allowed to proceed if they desire it. No fresh lodgments will be accepted for the present, as it is intended that future commissions shall be given without purchase.

ARMY—VOLUNTEERS.—QUESTION.

Mr. HAMBRO asked the Secretary of State for War, Whether, in case of the Volunteers going into the proposed camps of instruction, their expenses will be paid, such as for travelling and rations; at what time of the year those camps will be held, and where; and, if all administrative battalions will have an opportunity of attending?

Mr. CARDWELL: In the present year, 1,100 officers and men of the Artillery Volunteers have received 10*s.* a head for the expenses of their attendance at Shoeburyness, the very satisfactory results of which have been laid on the Table in Colonel Chermside's Reports. A sum of £10,000 is included in the present Estimates for a like purpose as regards both Artillery and Rifle Volunteers going to camps of instruction. Rations are issued when practicable at cost price. £8,500 are also taken for the allowance of 1*s.* a day to men attending brigade drills when ordered by the officers in command of districts.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

SOUTH AFRICA.—RESOLUTION.

MR. R. N. FOWLER, in rising to call attention to the affairs of South Africa, particularly to the country in which diamonds have recently been discovered, and to move—

> "That, in the opinion of this House, it is desirable that Her Majesty's Government should take steps to ascertain to what extent the Confederation of the British Possessions in South Africa, and of the adjacent territories, is practicable,"

said, the countries to which he alluded were the Cape Colony, with an area of 200,000 square miles, and a population, including that of British Caffraria, which was annexed in 1866, of 600,000, 400,000 being Natives; Natal, which was about the size of Scotland, and had an European population of 17,000, with 250,000 Natives; the Orange Free State, covering an area of 50,000 square miles, and having a population of 37,000; and the Transvaal Republic, of 100,000 square miles, and a population of only 30,000. The Cape Colony was under the rule of a Governor, generally a man distinguished in the colonial service of the Crown, his position being unlike that of the other chief colonial Governors, as there was not a free Constitution in the sense of that which existed in Canada or in the Australian Colonies. In addition to his position as representative of the Queen, he was High Commissioner, and held control over all the Native races in the wide district he had described. The people of Natal, with a Lieutenant Governor and a Legislature entirely distinct from that of Cape Colony, complained against the control of the Native tribes inhabiting the tract of country close to their own frontier being placed in the hands of the High Commissioner, on the ground that he lived 700 miles from the northern frontier of the eastern Province, where alone independent Native tribes were to be met with, and who, of course, could not have the same means of information as those possessed by the Lieutenant Governor. A pamphlet had recently been published from the pen of Mr. F. W. Chesson, a very able gentleman, who had paid very great attention to this subject, and thoroughly investigated it in all its bearings, and from this pamphlet he would quote the Resolutions of the Natal Legislative Council, passed in August, 1868, and to be found in the Papers presented to this House—

> "That, in the opinion of this House, the office of High Commissioner, as exercised at present in relation to this Colony, is inimical to the maintenance of the prestige and influence of Her Majesty's Government amongst the Native tribes of South East Africa, and the House is guided to this conclusion by the following considerations:—The High Commissioner, as Governor of the Cape Colony, resides at Cape Town, which is about 700 miles from the northern frontier of the eastern Province, where alone independent Native tribes are to be met with. That Natal is surrounded on three sides by territories chiefly occupied by large and powerful independent tribes, with whom the local authorities cannot deal, irrespective of the consent of the High Commissioner at Cape Town. That, in times of disturbance amongst the surrounding communities, the Government of Natal is deprived of that power of timely and effectual action which it might otherwise exercise with great benefit to the interests of peace and civilization. That ever since the annexation of the Orange River Sovereignty (since abandoned) in 1848, the emigrant farmers who settled over the Vaal River, and formed a government of their own, under the style of the South African Republic, have carried on a system of slavery, under the guise of child-apprenticeship, such children being the result of raids carried on against Native tribes, whose men are slaughtered, but whose children and property are seized, the one being enslaved and sold as 'apprentices,' the other being appropriated."

It was impossible for the High Commissioner, living so far from the scene of those atrocities, to judge properly of the outrages; and it would be better if more authority were vested in the Governor of Natal. A change was wanted in the government of our African Colonies. He would venture to read some Resolutions of the Natal Legislative Council, recommending the annexation of the Transvaal and the Orange Free States, passed in 1868. They said—

> "That the interests of the two South African British Colonies—namely, the Cape Colony and Natal, are in many respects so closely united with the Republics situated on their several borders, that a union of these under British rule can scarcely fail to conduce to the material welfare of the whole, both as a means of promoting an interchange of friendly relations amongst them, as well as of providing, by judicious combination, for their adequate security and confidence in time of danger, and establishing and regulating commercial intercourse on a permanent and satisfactory basis to all parties. That the comparative dependence of these Republics on the Cape Colony and Natal, together with the similarity of the religion, laws, and customs of the white inhabitants to those of

the same classes inhabiting the two latter Colonies, favours the belief that sooner or later they will be desirous of coming under the dominion of the British Government. That the Council is therefore of opinion that with a view to furthering the objects set forth, it would be highly desirable for Her Majesty's Government favourably to consider any proposal which the authorities of these Republics, being empowered thereto by the inhabitants, may put forward, affecting their annexation to either the Cape Colony or Natal, or embracing suggestions with respect to any other form of allied or separate administration deemed suitable by the majority of the white inhabitants of such States. That a respectful address be presented to the Lieutenant Governor, transmitting to his Excellency a copy of the above Resolutions, and requesting his Excellency to forward the same to the right hon. the Secretary of State for the Colonies, for the favourable consideration of Her Majesty's Government."

The House was aware that these two Republics were situated to the north of Her Majesty's dominions at the Cape. They had no communication with the outer world excepting through British dominions, or through the Native territories which lay to the north and the west of it. Resolutions in a similar sense to those he had read were passed in the chief towns of South Africa, recommending a Confederation. The independence of the Orange Free State dated from 1854. The British Government of that day, wearied with frontier wars, resolved to get rid of the territory, though the renunciation of it was opposed by many of the leading inhabitants and by colonial statesmen; and in this House was objected to by a distinguished colonial statesman, whom he was glad to see in his place taking an interest in this question—his right hon. Friend the Member for North Staffordshire (Sir Charles Adderley). The result had been almost constantly recurring difficulties ever since. The Government sent out Sir George Clerk, as Commissioner, to enforce their policy, and the result had been wars that desolated the country. It might be said, perhaps, that however excellent a Confederation might be, the people of the Free State would be unwilling to join it, and, of course, no attempt at coercing them could be made. But the truth was that a considerable and respectable party in the Free State were anxious for annexation, and any step taken towards that object would be cordially welcomed by them. In proof of this he would read an extract from *The Friend of the Free State*, a paper circulating in the Sovereignty, dated July 31, 1868—

"We cannot but believe that it would prove an unspeakable blessing to the whole community were the Free State, as far as the Modder River, united to Natal, and the other half to the Cape Colony. The pretended freedom of the Free State has already proved, and is proving, a very serious obstacle to progress, and to the advance of civilization in South Africa. Does anyone doubt this, we would remind them of the following painful facts:—The proposed electric telegraph has been turned aside, and the idea of its passing through the State abandoned; the bridge over the Orange River thwarted; foreign banks expelled; the influx of capital checked; railways not to be thought of; Christian missionaries driven out of Basutoland; educated and enlightened men and capitalists prevented by our wars and obnoxious laws from settling here."

The other territory to which he desired to refer was the Transvaal Republic. It was erected in 1852, but on the distinct condition that slavery was not to exist in it; but how had that condition been observed? Everyone knew that it had been flagrantly violated; but England had, unfortunately, at the time of recognizing the Republic, bound herself to supply ammunition to the Boers, and not to the Natives, who were, consequently, obliged to obtain it in very small quantities, and by a very circuitous route. The Natives, therefore, had been left entirely at the mercy of the Boers, parties of whom went out on predatory expeditions, and attacked villages, burnt them, murdered the parents, and took possession of their children, whom they sold into slavery. Two years ago, he called attention to the slavery that existed in the Transvaal Republic, and the Postmaster General (Mr. Monsell), who then represented the Colonial Department, said he was unfortunately obliged to admit all he (Mr. Fowler) said. Official Papers had since been published on this subject, and without hesitation he might say they confirmed every statement it was his duty two years ago to lay before the House. The Consul of the Republic had written to Lord Clarendon, after the debate two years ago, complaining of some of the assertions that had been advanced against the Republic; but the hon. Gentleman the Member for Chatham (Mr. Otway) was directed by his Lordship, who, during his long and honourable public life, took a deep interest in the suppression of slavery, to ask, in reply, how it happened that there was so many orphan children in the Republic?

to which inquiry the Consul had given no answer. Among the great quantity of evidence that might be produced on the subject, he would select the evidence of a Dutch clergyman, Mr. Huet, residing in the Republic, who stated, in reference to the treatment of the captives by the Boers—

> "One will ask whether there are no laws to prevent ill-treatment and to guarantee liberty to the poor captives, at least after some time of servitude? Certainly, with a truly hypocritical philanthropy, certain laws are made; for instance, that in case of transgression the master has to bring his servant to the field-cornet to have him punished; but the master cares little for the law, and the field-cornet just as little, and the servant does not even know the existence of the law. The same is true of the apprenticeship. Till their twenty-second, or in some places till their twenty-fifth year they are apprenticed. All this time they have to serve without payment. The Boers say—'This is right, because we want compensation for the expense and trouble spent in their education.' Expense, and trouble, and education! As soon as the poor creatures are able to walk, they have to look after the cattle, or carry the youngest child of the mistress, who is often as big and twice as heavy as themselves. Till the twenty-second or twenty-fifth year! And all this time without any reward, but perhaps a thoroughly worn-out piece of clothing, invectives, curses, whippings! And when the time of servitude is over, are they then free? Who will give them freedom? Who will make them acquainted with the law? Nobody. It is slavery in the fullest sense of the word—with this exception, that slave States have their laws and overseers, who at least keep the ill-treatment within certain limits; whilst here nobody, I say nobody, cares for their lot, and they are thoroughly given over to the caprice of their cruel masters and often yet more cruel mistresses. When the servant maid becomes marriageable, the master's permission must be obtained for her taking a husband, which permission, it is unnecessary to say, is in most cases refused, and, if granted, the applicant must pay for the girl either with money or with work. After all this let nobody say that slavery or the slave trade is abolished in any part of the Transvaal Republic, as has been stated by some newspapers."

Could we say that Great Britain was entirely guiltless in this matter? This country had played a noble part with regard to slavery; but in the Republic of South Africa the course of the slave trade and slavery was worse than anything we read of as existing when Wilberforce began his great work of slave emancipation. He asked what was to be done in this case, because we did not want a military expedition to put down these things. Was there any hope of the Transvaal Republic voluntarily joining such a Confederation as he proposed? He believed there was. There was evidence that the leading inhabitants were thoroughly opposed to the practices he had described, and would take any step to put an end to them. The hon. Gentleman referred, in support of this assertion, to speeches delivered by some of the most respectable inhabitants, and also to the Report of a Commission on the subject. He then observed that recent events had given an importance to the question which it did not possess a few years ago. In these countries gold, and more recently diamonds, had been discovered. The diamond fields were claimed by both the Transvaal Republic and the Orange Free State; but the result of an investigation which General Hay, the acting Governor of the Cape, had been at great pains to make, showed that they belonged to neither, but to a Native chief called Waterboer. He held in his hand Parliamentary Papers published at the Cape, with which he would not trouble the House, showing General Hay's views. In last December there were 15,000 persons in the diamond fields, who were almost entirely British subjects. The British Government had a duty to discharge towards these men, to protect them, and provide a suitable government for them in the country to which they had gone. That Her Majesty's Government was anxious to do so appeared from the fact that they had sent a magistrate to the district. Sir George Grey, in a very remarkable and able despatch addressed to the present Lord Lytton, had urged the course he ventured to bring under the consideration of the House; and the present Governor, Sir Henry Barkly, in a speech he delivered at the British Association, at Newport, had expressed similar views. He hoped that it might be the good fortune of the distinguished man who now governed Her Majesty's dominions in South Africa to lay the foundations of a Confederation which in future days might tend to promote the glory of the British Crown and the happiness of the people of South Africa. The hon. Gentleman concluded by moving his Resolution.

MR. W. M. TORRENS seconded the Motion.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is desirable that Her Majesty's Government should take steps to ascertain to what extent the Confederation of the

British Possessions in South Africa and of the adjacent territories is practicable,"—(*Mr. Robert Fowler,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GILPIN said, it was the duty of this country, and of those who represented it in the Colonial Office, to take care that treaties affecting the lives and liberties of thousands of persons should be literally carried out. If territories were occupied, as those in question were, upon condition that slavery and the slave trade should not exist in them, it was required of us as honourable men, and of the Government as an honourable Government, that this condition should not remain a fiction, but should be made a fact. He had received a large amount of evidence as to the existence of the slave trade in those districts. He had no doubt his hon. Friend in the Colonial Office (Mr. Knatchbull-Hugessen) would be as earnest as the right hon. Gentleman his predecessor (Mr. Monsell), than whom he had never known a man more disposed to carry out the real object of his appointment, or more willing to listen to the representations of the various Colonies. In the Colony of Natal there was a Governor at serious issue with his constitutional Assembly. Within 18 months this gentleman twice dissolved the Assembly in order to procure one that was subservient to his will; but in spite of his efforts an Assembly had been returned which would no doubt carry on the reforms upon which the community were bent. This was the more necessary because the Colony was now living beyond its means; and the Governor should be informed that his administration in the Colony was not approved by the Home Government. Even that day a Bill had been sent down from the Lords relating to the West African Settlements to be read a second time. Its object was that any crime, or alleged crime, committed 20 miles from the border of that Colony should be subject to the tribunals of that Colony. In other words, the jurisdiction of the colonial government was to be extended 20 miles beyond the colonial territory—upon a territory we had never claimed, and over a people who had never acknowledged our authority. Why, if such a thing were proposed in civilized life it would be considered utterly monstrous. What Bismarck was the author of such a Bill as that? If we were to have Colonies at all we should show them that we recognized the duty of seeing that all the legislation affecting them was just and wise.

MR. KINNAIRD said, it was horrible to think that that remarkably intelligent and acute race, the Basutos, should be treated in so disgraceful a way, and carried into slavery, under the sanction of the British Government, or from the want of proper interference by us. Better give up our Colonies than govern them so.

MR. BUXTON said, he had made a very thorough study of this question, and had come to the same conclusion regarding it as his hon. Friend. There could be no doubt that there had been an abominable system of slavery which had received encouragement from the Government. He hoped the suggestion contained in the Motion might be carried out, as he was confident it would result in great good. There were a great many, both at home and abroad, who were in favour of federation, and the feeling was growing, especially among the most respectable classes in the Colonies.

MR. MACFIE considered it of great advantage that business connected with the administration of our Colonies should occasionally come under the notice of the House, because it showed our fellow-subjects at a distance that we regarded them as associated with us in all that concerned the interests of the Empire. He was of opinion that the examples which they had before them of the successful results of federation in British North America and in the United States ought to induce Her Majesty's Government to bestow their best attention on the Motion of the hon. Member for Penrhyn (Mr. R. N. Fowler). The Colonies of South Africa were important in consequence of their magnitude, and productiveness exhibited in the increased growth of wool, sugar, and other commodities, and also on account of their central position with regard to other parts of the Empire. There could be no doubt as to the advantage of maintaining our Colonies. The strength of the British nation must depend on the number of its population and of the fighting men it could send forth. Surely our colonists would do their duty as British subjects when the occasion arose. On the other hand, we must do our duty to them, and show that we acted with vigour, like Englishmen worthy of being associated with such communities.

VISCOUNT BURY said, he had listened with astonishment to the hon. Member for Penrhyn (Mr. R. N. Fowler), when he proposed federation not only with regard to the Colonies of South Africa, but also to the Transvaal Republics, with which this country had nothing to do. The Orange River Territory and the Transvaal Republic were originally under our control; but the inhabitants revolted, and their territory was now beyond our authority. How, then, could those States be federated with Natal, British Caffraria, and the Cape? [MR. R. N. FOWLER: Only with their own consent.] Many hon. Members must be aware that those Transvaal Republics, instead of wishing to join us, desired to split up into a series of still smaller republics, in order to carry on their own modes of government, and to make predatory inroads into neighbouring States with less inconvenience. The subject was one, he might add, on which it was impossible for any hon. Gentleman to say that he represented the feelings of the colonists, because no sooner was a particular Colony declared to entertain certain views with respect to it than the declaration was disavowed. His hon. Friend opposite was anxious for incorporation, in order that we might get rid of slavery; but he felt satisfied that in the case of a body of men such as those to whom he was referring it would be impossible to do away with slavery unless we were prepared to enter again into a series of South African wars. There was, he might add, no proof that the Colonies in question wished to be joined together.

MR. KNATCHBULL-HUGESSEN said, he was much obliged to those of his hon. Friends who had afforded him the opportunity, if he desired it, of excusing himself for a very brief statement, on the ground that he had been but a short period in his present Office. While quite conscious of his own shortcomings, he thought no man could have sat in that House so long as he had done without acquiring some knowledge of colonial affairs. There was a considerable vagueness about the Motion, which might have been more explicit. He

(Mr. Knatchbull-Hugessen) protested against it being supposed that the withdrawal of troops was to be taken as indicating an unfriendly feeling towards the South African or any other Colonies on the part of Her Majesty's Government. It was capable of contention that the consolidation of power at home was in the best interests of the Colonies themselves; that the presence of British troops often encouraged the colonists to act towards the Natives in a manner not conciliatory; that the supremacy at sea of the mother country was of more value to the Colony than the presence of an isolated regiment; and that in the case of communities as well as of individuals, the more self-reliance was encouraged the more stable was their prosperity likely to be. With respect to Natal, he declined to enter into the question as to the differences between the Lieutenant Governor and his Council. It was unfortunately true that differences had existed, and probably, as in most cases of the kind, there might be faults on both sides; but he trusted that all was now in a fair way of being settled. No effort of the Government should be spared to bring about an arrangement that would be generally satisfactory. With respect to the Dutch Republics in South Africa, he agreed with much the hon. Member had said about slavery, civilization, and Christianity going hand in hand in that country. He was afraid it was too true that civilization was sometimes accompanied by fire and sword, and that Christianity was sometimes heralded by rapine and slavery. Such civilization was no matter of boast to Europeans, and such Christianity was sadly at variance with the precepts of its Divine founder. In the Transvaal Republics slavery was no doubt carried on under another name. It was impossible to read the accounts which had been received without arriving at that conclusion. The history of the Republics was brief. The Boers, after the emancipation of the slaves in 1834, left the Cape Colony and went to Natal, and, driven out there, they proceeded to the Orange Territory, and, after many conflicts with the Natives, established themselves as independent republics, until the assumption of British sovereignty by Sir Harry Smith, in 1848. This assumption was at least premature. No country had the right to annex territory unless it was prepared to maintain therein law and order, and to secure life and property. For this we were not prepared, and moreover, as to the wishes of the Boers, Pretorius at once opposed our authority and was only driven across the Vaal after a severe engagement. Then when the Basuto Chief Moshesh attacked us, the Boers refused to join us in defending the country against him. It was in consequence of the people not supporting our authority that in 1851 Lord Grey wrote a despatch, in which he said that British authority had been established for the good of the inhabitants, and that if they refused to support us it was doubtful whether this country would incur the expense of supporting the Sovereignty. In 1854 came the abandonment of the Orange Territory, arranged by Sir George Clerk, as Special Commissioner, and it was said that we abandoned it against the wishes of the inhabitants. Now, it was difficult for any one in this country to express the opinions of the colonists. No doubt there was a protest against the abandonment; but it was equally clear that there would have been a protest the other way. All we could do was to rely upon the able men whom we had instructed to carry out our policy. The hon. Gentleman had said that the Government of the day wished to get rid of the territory; but that was because the people of the State believed they were carrying out a course of policy best adapted to their own interests. The hon. Gentleman (Mr. Gilpin) was mistaken as to the character of the Bill to which he had referred, which indeed referred not to South Africa but to the West African Settlements, where it had been rendered necessary by the occurrences which had taken place. One of the Natives had plundered a village and murdered several persons. It was true he was arrested; but in the case of one murder he got clear on the technical point that it was committed just outside the British boundary, and had he not committed a second murder just within the boundary he would have escaped scot free. Thereupon this Bill was brought in by the Law Officers of the Crown, and it provided that if a murder was committed within 20 miles of British territory by a person not being a subject of any civilized State, and not being amenable to any established jurisdiction, he might still be tried and convicted. The hon. Member said that we owed protection to British subjects. No doubt that was the case; but he could not assent to the proposition that when, as in the case of the diamond diggers, British subjects of their own free will established themselves in a country in which we had no authority, we were bound or entitled to annex that country in order to afford them due protection. [MR. R. N. FOWLER: With the consent of the chief and people.] That might or might not be; but even then it was doubtful whether we were to go on annexing and annexing. With respect to the claim of Waterboer, it was true there was a dispute between him and the President of the Free State Republic, and it was also true that the President of the Republic, after having been asked to submit the claim to arbitration, and finding that Waterboer would not give up his right, took the usual mode of issuing a proclamation, in which he said that all this property in the diamond fields belonged to the Republic. In consequence of the disagreement between Waterboer and the President of the Republic the arbitration was not entered into, and Waterboer appealed to the Government of this country. It was not true that we had declared that this territory belonged to Waterboer, and it was quite possible that his claim to the whole of it could not be established. What had been done was this — as soon as the proclamation was issued, General Hay, who was administering the government at the Cape until the arrival of Sir Henry Barkly, gave notice to all the British subjects not to join in anything which would show that Waterboer's claim was not recognized, and announced that this country could not by any means recognize the proclamation annexing this large tract of land. The Resolution of the hon. Member declared—

> "That, in the opinion of this House, it is desirable that Her Majesty's Government should take steps to ascertain to what extent the Confederation of the British Possessions in South Africa and of the adjacent territories is practicable."

He wished to call the attention of the House to the wording of this Resolution. The confederation of British territory was something which he could well understand. Schemes of confederation had been going on in British North

America, and were under discussion in Australia, which, tending as they did to economy of administration and consolidation of power, were arrangements which the Government would always regard with favour. But when they talked of the confederation of British territory with adjacent territory, they must take care that that was not annexation under another name. There could not be a confederation of adjacent territory without its coming under the sovereignty of England. Were we prepared for that? The abandonment of the Free State settlement was part of a deliberate policy which had been pursued by previous Governments. So far as home interests were concerned, we did not wish to extend the boundaries of our South African territories, and did not intend to expend the money of England and to risk the lives of Englishmen in projects upon which neither the honour nor the interest of England required us to embark. The policy of the Government was not to expend Imperial money and risk the lives of Englishmen in the cause of wild annexation. But having laid down that principle, he did not think it was the policy of any Government to prevent the extension and the development of Colonies by their own aid and for their own interests, under their own management. No doubt it might be a good thing to draw a line across the map of South Africa and say the territory should be settled under British protection; but that could not be done without a clashing of interests, the loss of money, and other things more valuable than money. There might be, and he hoped there would be, a future of power and prosperity for the Cape Colonies; and if he might be allowed to refer to the extension of those Colonies, he would respectfully say that he ventured to doubt whether a Colony which had not yet found itself able to assume the duties and privileges of responsible government was in a fit state to annex other territory to it. He thought that when a European population numbering 200,000 felt itself equal to self-government, it might probably be the case that its resources might be developed by its own exertions and management without Imperial aid. If the Colonies showed a desire to develop their own resources without requiring Imperial aid, it would not be the business of the Government to throw any obstacles in the way, but rather to afford facilities. He did not think the Motion of the hon. Gentleman would advance the objects he had in view, especially as any "steps" to be taken must be taken by the colonists themselves, and not by the Home Government. Let it not be supposed that the Government was unfriendly to the Colonies. They were rather desirous to encourage their self-reliance. He had no doubt, after the discussion which had taken place, that the hon. Member would withdraw his Motion, and he might rest assured that the affairs of South Africa would continue to receive the careful attention of the Government. The hon. Member should bear in mind that Sir Henry Barkly, who had only recently arrived in the Colony, had all these subjects under his consideration, and there could be no doubt that he would endeavour by arbitration to bring these matters to a satisfactory issue.

Sir CHARLES ADDERLEY observed that the question raised was, supposing these adjacent territories, to which reference had been made, wished to return under the allegiance of Her Majesty, whether the House would be willing to encourage and facilitate such proposal. He considered the proposition well worthy of discussion, and, even although the Motion could not end in any definite proposal, the discussion which had taken place would show to the colonists at the Cape the interest taken in them by Parliament, and that a desire existed to do everything possible to strengthen and consolidate their interests. On the other hand, it would show to the adjacent territories that, if they were anxious to come under allegiance to Her Majesty, the House was willing to promote their wishes. He had always advocated the consolidation of colonial territory and government, and thought it was in the interest of the integrity of the Empire that such consolidation should take place. He had been misrepresented as holding lightly the value of colonial connection with the British Empire. His hon. Friend (Mr. R. N. Fowler) had done him the justice to remind the House that on the question of the abandonment of the Orange Sovereignty he stood alone, in the debate which took place, in protesting against that abandonment. He considered that any abandonment of territory was a symptom of the decadence of national spirit. He thought, also, that there had been no precedent for abandonment; there was precedent for exchange and cession, but not for abandonment. The result of the subsequent 16 years' experience had convinced him of the correctness of the views which he then entertained; and Sir Philip Wodehouse, who had ably governed in South Africa for 18 years, said in one of his last despatches that the result of that abandonment had been mischievous alike to the interest of this country and of the Cape Colony. But it was a difficult thing to retrace our steps. He had mentioned this for the purpose of defending himself against much misrepresentation as to his readiness to separate any Colony from this country. There was not a Member of the House who did not value our colonial connection, and think it esential to the strength and greatness of this Empire. The only dispute was as to the way in which the connection would be best cemented. He had always maintained that the proper way to cement that connection was by making the Colonies stronger and more self-reliant; and he had always taken colonial soldiers, defending their own territory, to be an addition to the strength of the British Army, while the defence of Colonies by home troops was only keeping up a show of connection which paralyzed the Colonies—a connection of dependence, and not of extended empire. If it were true, as he had heard it rumoured, that America expected a cession of territory from us, either in the West Indies or in Canada, in settling the disputed claims between the two countries, he was sure it would be found, from the way in which any such proposition would be met by England, that they had been grossly mistaken in their supposition, and that nothing would incense this House more than such a proposal being made to it. The policy of the past Government, and of the present Government, had been identical on these points. The late Government took the first step for gradually withdrawing British troops from South Africa, in order to draw out the self-reliance and the strength of the Colony, and that course had been carried on effectually by the present Government. But now came the question, how far the confederation suggested by the Motion before the House would advance that policy? The late Government took one step towards the extension of British territory in South Africa by admitting within the Queen's allegiance the tribe of the Basutos, which was a mutual advantage, as it removed the isolation of Natal, and gave a distinct intimation that if other places wished to own allegiance to the Queen, the same arrangement might be practicable, but on two conditions—namely, that the proposition tion must come from the territory itself, and that the arrangement should be maintained by the resources of the Colony, and not by the British taxpayer. There were several reasons for bringing the Orange and Transvaal Territories under one Government with the Cape Colony. There was much British capital invested in these South African districts; and if these large territories were brought within the colonial Government they would form a new and extensive field for British enterprize for many years to come. At the same time the result would be a gain to humanity, for the abominable and atrocious system of slavery which prevailed in those districts would at any rate be greatly checked; and so also would the constant wars and conflicts which were at present bred by border disputes. For the interests of peace, of humanity, and of commerce, it would be better if this consolidation of government could take place, and the whole South African territory, governed by English rulers, and on the principles of colonial government—now being happily again recognized, would be more useful to us than Algeria had been to France. It would be impossible to govern it from Downing Street; but if, under whatever local distribution of sub-government, it were all brought under the Queen's supreme executive at Cape Town, such an arrangement would be for the best interests of all concerned. He feared, however, that the people of the Transvaal Republic were too much wedded to the Commando system; were too much enamoured of slavery; and had become too much brutalized by it to desire now to join us. He doubted whether the Orange Free State would willingly return. Many unforeseen opportunities, however, might occur. No one could tell what would be the result of the discovery of gold and diamonds in the very heart and centre of this territory, for the influx of capital and speculation from Great Britain and from the rest of the world might bring about most important events. The States in question also had strong motives for uniting themselves with us—for access to the sea, and for a termination of mutual disputes and better government. He thought the hon. Member for Penrhyn had done good service in drawing this unanimous expression of opinion from the House on the subject; and if the opportunity should occur he hoped it would be found for the good of this country, and for the general interest of South Africa, that the suggested consolidation should take place.

Mr. W. M. TORRENS concurred thoroughly in the reprobation expressed in reference to the abandonment by this country of the Orange River Territory. It was a fatal precedent if it was to be repeated; but he fancied he heard whisperings in the air that told him it would not be. The hon. Gentleman (Mr. Knatchbull-Hugessen) had made many unexceptionable protests against a proposal which nobody had ever made. Annexation? It had always been denounced and reprobated by that party in the House who contended for the maintenance and consolidation of our colonial Empire on free and federated principles. What they advocated was facilities for free agreement, and the announcement of a resolve on the part of the parent State to accept territory in the name of the Sovereign only where such agreement should be made. If those neighbouring States thought they did well in coalescing with us, they should be welcomed. But the hon. Gentleman, besides denouncing annexation, had distinctly approved the policy of the Duke of Newcastle, which he, for one, could never look back upon without regret. This was the very antithesis of the policy of annexation as commonly understood. Those who thought that discussions of colonial matters in the House of Commons were ineffectual might usefully contrast the tone of the Under Secretary that evening with the tone of his predecessor 12 months ago, and he made that observation not by way of taunt, but of encouragement. Those who were active in this matter last year received exceedingly little favour from Her Majesty's Government; but, if it was then desirable on general grounds that distant and outlying Colonies should be recognized and knit closer together as part and parcel of the Empire, how immeasurably had the importance of such a policy increased, through the events which had since occurred in Europe! To maintain, he would not say the pre-eminence, but the equality of this country, it was necessary to improve on our past colonial policy, and avoiding, as far as might be, conflicts upon land, to assume, as we were able to do, the place of the great ocean power of the world. This was not, and never ought to be, degraded into a question of party; it was a question of nationhood, of race, of language, of the spirit of a people, and must not be toned down by official answers or perfunctory criticisms upon the terms of a Motion, as to the best possible, or the next best possible, form of wording. Very possibly the wording of this Motion might be improved; but the hon. Member who brought it forward had done well, and wherever the English language was spoken, and the telegraphic wire could reach, feelings of gladness would be awakened when it was discovered that the English Parliament had not confined its attention merely to matters of local concern, but had extended its care to the best and most practical modes of cementing the power and amalgamating the forces of distant and outlying British possessions. His hon. Friend the Under Secretary had said that before other States were consolidated with British territory, it should be shown that they were able to rule themselves. The argument, he presumed, referred to Cape Town, and a portion to Natal. The contention was that States should become adults before they had any business to think of confederation. In reply, he would point to that marvellous aggregation of commonwealths at the other side of the Atlantic—bone of our bone, worshipping in our language, and whose Courts every day quoted the decisions of our Judges. What was their condition at the time they broke from the yoke of a lunatic king? ["Oh, oh!"] Yes; that was the best excuse that could be given for the murderous war by which it was sought to retain the Colonies—a war which brought into play the scalping knife of the Red Indian—a war which every statesman looked back upon with regret, and which the people of this country, above everything else in their history, desired to be able to forget. In 1775, of the 13 States that defied the power of this country and asserted their independence, there were eight which had a collective area of 341,000 square miles, while the joint population of eight of those States numbered 816,000. The four States, which it was now proposed to combine in South Africa, had an area of 520,000 square miles, with a population of 911,000. In the physical element of importance, therefore, the South African communities were not deficient. Socially, they were every year improving in agriculture and trade; husbandry and handicraft were peaceably pursued both by colonists and Natives throughout the greater portion of the South African regions; and, although compulsory labour continued to exist in the border country, there were many signs that the Dutch were getting heartily sick of the system of "commands and apprenticeship," and were willing to cast both aside if they had the advantages of British connection. And now the discovery of gold and diamonds has imparted a new impulse to emigration, and offered a new stimulus to enterprize. Yet some hon. Members had talked of these Colonies in this debate as places semi-barbarous, and that we had better be rid of them. The noble Lord the Member for Berwick (Viscount Bury) had talked of the Transvaal Republics. There happened to be no such places. There was, indeed, a Transvaal Republic, the worst and weakest of the whole group; but it was immaterial whether it came into the present scheme or not. He was amused by the *coquetterie* of ignorance practised by his hon. Friend the Under Secretary of State, who had shown that he was not only well-informed, but ready to be further informed, on all these matters. The States of Natal, of the Orange Free State, and Cape Colony could, he believed, be confederated without a loud word or a deed of violence. In 1858 they had the offer of the Volksraad of the Orange Free State, who communicated officially to Sir George Grey, the then Governor, their desire to be included in a confederacy. It had been said that dominion over the Orange Free State, having once been wrongfully assumed, its people had resented our control, and that now we were well rid of them. But it did not follow, because the proceedings of 1848 have been untenable, that the policy of 1854 was therefore wise. Nor did the recollection of either render it impossible that three neighbouring communities might not come to see they had a common interest in forming one federalty. The memorable despatch of Sir George Grey, which had been made the pretext of his recall, remained unanswered, and incapable of answer, as a statement of our true policy in Southern Africa. If ever the real history of the transaction were challenged, his friends would not be slow to join issue as to the facts, and to vindicate the character and consistency of that remarkable man. He (Mr. W. M. Torrens) could not but regret, on public grounds, that Sir George Grey was no longer in the service of the State, whose interests he had served so well. Since that time, however, nothing more had been done in the matter. England had a laudable ambition that these territories should be permanently occupied by our race, as we had founded the greatest Colonies of the modern world. He did not, however, wish the old country to interfere in the internal affairs of the Colonies, except to insist that the institution of slavery should not be tolerated. The Colonies, he believed, would be greatly gratified by this Resolution being passed, and he was unable to perceive what possible harm it could do. He would now refer to a letter he had recently received from a gentleman long resident in Natal, who described the feeling there of vexation at the coldness and indifference shown by the Colonial Office in past times, and expressed his pleasure at seeing the commencement of a new career for the Colonies. The writer added—

> "South Africa at present offers a noble field for the aggressive ambition of a Christian and colonizing nation—by aggressive I mean as regards the inroads of a beneficent civilization, rather than the encroachments of territorial greed, or political aggrandizement. With scarcely an exception, all the independent tribes between British frontiers and the Zambesi are seeking British protection, and are craving the good offices of our Secretary for Native Affairs, Mr. Thepstone, as a means of enabling them to live at peace with their neighbours."

If the House of Commons were selfish, isolated, and cold, the people of this country certainly were not so. They were not indifferent to the great question whether we should cement the Empire and maintain its place among the nations by a fusion of race, language, commerce, and arts, and thus keep for the Queen a heritage better worth bequeathing to her children, or whether we should leave the Empire worse than when we found it.

Mr. EASTWICK said, he had been astonished to hear the noble Lord (Viscount Bury) say that there was no authority for representing that the inhabitants of the countries under consideration had a desire to join the Cape Colonies. The noble Lord seemed to be unaware that a former Secretary of State, Sir Edward Lytton, wrote a despatch in 1858 to the Governor of the Cape, Sir George Grey, asking his opinion as to whether a federation of these States was desirable or not. Sir George Grey not only replied by recommending federation, but stated that the large majority of the inhabitants of the Transvaal Republic, had not been consulted on the subject of the Convention by which we got rid of the management of the territory of that Republic. The same thing was true as regards the Orange State, the abandonment of which was carried out in opposition to the wishes of all the wealthy and influential inhabitants of that country. The statement of the Under Secretary of State for the Colonies was unsatisfactory, because he had omitted one very important point which ought to be made to the House—namely, that so long as these Republics remained separate and independent the horrible and inhuman traffic in slavery would never be put down. That was a fact to which the House should direct its attention. In 1834 the Act of Emancipation was passed in the Cape Colony. Well, in 1835, these Boers left, because they were determined not to give up their slaves, passing into the Orange River Territory, and next into the Transvaal, and ever since had been engaged in war with the Natives. We might be sure that unless we in some manner attracted the Boers to the British Government, we should never put an end to the slave traffic. We ought, therefore, to encourage federation, in the hope that we should win back our former fellow-subjects.

Mr. R. N. FOWLER said, after the debate which had taken place, he was willing to withdraw his Resolution.

Amendment, by leave, *withdrawn.*

FRANCE AND GERMANY—THE SIEGE OF PARIS—ABSENCE OF THE ENGLISH CONSUL.

OBSERVATIONS.

Sir ROBERT PEEL, in rising to call attention to the circumstances under which Her Majesty's Ambassador quitted Paris, September 17, with reference to the statement on this subject made by the Prime Minister, said: Sir, in undertaking to deal with the question of which I have given Notice, I shall appeal with confidence to the impartial judgment of the House. I wish to be thoroughly impartial in what I have to state on this question. I have no personal feeling in the matter; and it is entirely on public grounds, and on account of the interest a great many people take in it, that I have ventured to bring the subject under the notice of the House, with the intention of asking the right hon. Gentleman at the head of the Government for the production of further Papers which will bear upon the subject. Now, I think I shall be able to show that in quitting Paris on the 17th of September, with only three other Representatives of foreign Powers, and leaving in Paris 18 Representatives of different States and Peoples until the middle of January, and in closing the British Consulate in that place, great injury was inflicted by the Ambassador upon British interests. The other day I used two expressions which I cannot but reiterate now, because I feel they are justly applicable to the circumstances under which the British Ambassador left Paris. I said that I considered his flight to be unmanly and to be ungenerous; and I said it on these grounds—I believe it was unmanly in him, on the 17th of September, when the instructions of the Foreign Secretary were that he should remain, to leave Paris and to neglect the interests and concerns of thousands of British subjects, who were in Paris at the time when the investment commenced. And I consider that it was ungenerous on his part to take away the whole corps of his Embassy, leaving in Paris only one inferior member of the

Embassy—as the Prime Minister called him the other night—at the very time when, under Lord Granville's advice, the Government in London was pressing upon M. Jules Favre a negotiation with Count Bismarck, which, aided by the good offices of our Ambassador, might have resulted in peace and in the sparing of thousands and tens of thousands of people who have suffered in this war since the date when that negotiation was abruptly terminated. Before alluding further to the course taken by the British Ambassador, I wish to say one word about Lord Granville. As I said the other night, I have no desire to say intentionally any unkind word about my noble Friend the Secretary of State for Foreign Affairs. On the contrary, in common with a great many people, I have a strong personal regard for the noble Lord; but, like all other public men, his public acts must naturally be liable to be canvassed in this House. It so happens, however, that as regards his acts up to the 17th of September, they require no apology whatever. Lord Granville's instructions were clear and explicit, for he kept repeating to the British Ambassador this injunction—"Remain at your post, in Paris, and take care of the interests of British subjects;" and in doing this I think he adopted a course and displayed a spirit which would have been adopted and displayed by his predecessor under the Administration of Lord Palmerston. I wish to draw the attention of the House to several inaccuracies and mis-statements which have been made on the subject of the British Consulate, and with regard to the British Ambassador. I know, of my own knowledge, that British merchants and poor people in Paris, in consequence of the neglect to which their affairs have been subjected, owing to the entire absence of any Representative of the British nation in that city, not only lost remittances and were put to great inconvenience and loss, owing to documents requiring the Consular visa and seal failing to obtain such official legalization; but failed to obtain the true value for such remittances which they received, and were otherwise unable to obtain that protection to which, under the Act which governs Consulates, they were entitled. I shall be able to show, therefore, that, in consequence of the entire closing of our Consulate and Embassy, great injury occurred; but, before I do so, let me refer to what has been said on recent occasions by the Under Secretary of State for Foreign Affairs, and by the right hon. Gentleman at the head of the Government. It will be in the recollection of the House that this question has been brought before it two or three times. On the 13th of February the Under Secretary, in answer to a Question from an hon. Member (Mr. Goldsmid), said that the British Ambassador left Paris under the urgent advice of M. Jules Favre. Now, I regret to say that is not the case. The words are clear and distinct, and in Lord Lyons's despatch to Lord Granville on the 12th of September, they are repeated—"M. Jules Favre particularly begged me to remain." And when M. Jules Favre wrote to the Austrian Ambassador on the subject of leaving, he told Lord Lyons that no reference was made to him, and he still hoped our Ambassador would remain. The other day, when I asked a Question of the right hon. Gentleman at the head of the Government, I said—"Surely it must be advisable for the British Ambassador to remain to take care of the interests of British subjects." But the right hon. Gentleman said, in reply—

> "The right hon. Baronet seems to think that the primary duty of the Ambassador in Paris is to take care of British subjects in Paris; but there cannot be a greater mistake."—[3 *Hansard*, cciv. 450.]

I never said anything about the "primary" duty of an Ambassador; but I maintain that it is the duty of such a functionary to take care of the interests of his fellow-countrymen under the circumstances in which they were placed, and the orders of Lord Granville, in this respect, were clear and distinct, and those given by Lord Palmerston's Government under similar circumstances were equally so. Therefore I repeat, I exculpate Lord Granville altogether. But when I said, speaking on the 17th of February—"There were 1,500 or 2,000 British subjects left in Paris, with nobody to take care of them," the right hon. Gentleman replied—"I can only say that, as regards the numbers mentioned by the right hon. Baronet, his information is entirely at variance with ours." After such a statement, it was with much satisfaction I saw in *The Times* a statement confirmatory of what I had said. In a letter, dated February 17, which appeared in *The Times* of February 20, a correspondent says—

> "At present 1,500 British subjects are being kept from starvation by the Committee for the distribution of charity to the distressed English in Paris."

Therefore, my statement was not so far wrong. Yet the right hon. Gentleman twice contradicted me. The correspondent I have quoted also says—

> "68,000f. have been expended by the Committee for the relief of British subjects in Paris, from August 1 to December 31; 23,000f. of which amount has been contributed alone by Mr. Richard Wallace, who since the new year has placed 10,000f. a month, in addition, at the disposal of the society."

It is impossible for any Englishman to speak in higher terms than I would of the philanthropy and conduct of Mr. Wallace during the whole time of the siege—indeed, his conduct has been almost worthy of the thanks of this House. I now come to the discussion of the particular point I have raised. The Prime Minister said to me the other day that Lord Lyons left Paris, acting under the direct injunctions of the Government. Now, I will show that Lord Lyons left on the 17th of September, and that in his last despatch, which is dated the 16th of September, not a single word occurs of the probability of his leaving Paris. And, again, the last depatch from Earl Granville at the Foreign Office, to Lord Lyons, before the 17th of September, was written on the 16th, and in that there is not a single word said of his leaving Paris. Therefore, when the Prime Minister says Lord Lyons left Paris under the direct injunctions of the Government, I can only say that those injunctions do not appear in the Blue Book; and it is a well-acknowledged principle that no Minister has a right to quote documents, or make assertions from official Papers, that have not been laid on the Table of the House. In this Blue Book there are no such direct injunctions from the Government to Lord Lyons. But the right hon. Gentleman says Lord Lyons acted in accordance with certain rules and regulations and considerations which had been supplied to him. I know of no rules and regulations and considerations applying to diplomatists under circumstances like these. I myself have been placed in circumstances almost precisely similar to those under which Lord Lyons left Paris. During the Sunderbund War in Switzerland in 1847, when 180,000 men were engaged in civil war, I was at the head of our Mission in that country, and the French Ambassador came to me and tried to induce me to leave Berne, the seat of the Government. All the other missions had left. I had no telegraph by which to communicate with Lord Palmerston; but, without any rules or regulations, my own common sense told me that I ought to remain at my post, and I did remain, almost the only Representative of a foreign Power at Berne, when the French Ambassador, and other Missions, had left for other places. But I was amply rewarded; for I was complimented by the Swiss Government, and by Lord Palmerston and his Government, far more doubtless than I deserved. I want now to show exactly how matters stood with reference to Lord Lyons, the British Ambassador in Paris. Here is a despatch, dated September 5, containing Lord Granville's instructions to the British Ambassador. He says—

> "Her Majesty's Government are in possession of your Excellency's telegraphic communications. . . . . And I have to instruct you to remain at your post as long as any of the Corps diplomatique are able to do so, with a view to protect, as efficiently as possible, the interests and the property of Her Majesty's subjects residing in France."—[No. 71.]

Nothing could be stronger than that. Lord Granville again writes on the 8th of September. He says—

> "Her Majesty's Government would wish you to concert as much as possible with your Colleagues; but to remain in Paris as long as possible with the Government, except in case of immediate bombardment."—[No. 86.]

Now, the bombardment did not occur till about the middle of January, and I am now speaking of the 8th of September. I say, therefore, the orders of Lord Granville were clear and decisive that Lord Lyons should remain in Paris. There seems, however, to have been a person who had great influence over Lord Lyons. The most intimate relations existed between Prince Metternich and his family, and the Imperial Court of France, and therefore it was quite natural that he and his family should wish to leave Paris when things had arrived at the point they had now reached. On the 7th of September Lord Lyons wrote to Lord Granville—

"I am informed by Prince Metternich, the Austrian Ambassador, that he has received a telegram from Count Beust, directing him to point out to the Minister for Foreign Affairs, and to chiefs of Missions at Paris, the great inconvenience, and indeed impropriety, of allowing the diplomatic body to be shut up in Paris during a siege, and thus deprived of the means of communicating with their respective Governments. Prince Metternich tells me that he has spoken in consequence to M. Jules Favre, and represented to him that it is incumbent on the Minister for Foreign Affairs to give notice to the diplomatic body in time to enable them to leave Paris without undue haste or inconvenience. He adds that M. Jules Favre appears to take the same view. The Nuncio and the Spanish and Turkish Ambassadors, as well as other chiefs of Missions, have also come to-day to speak to me on the subject. I have said to all that, in principle, Count Beust's view appears to me just and reasonable; but that, for my own part, I do not desire to hasten my departure from Paris without very good cause. I shall, I have said, be disposed to act in concert with my Colleagues in the matter, and shall feel no difficulty about leaving Paris if I am requested or advised to do so by the French Government; but I shall be content to leave the matter as it stands without making any special representation to the Minister for Foreign Affairs."—[No. 84.]

He kept repeating that his desire was to remain in Paris; everybody was under the impression that these were the instructions he received, and it was hoped that he would carry it out. Now comes a letter, dated September 12, from Lord Lyons to Lord Granville. I find from this despatch in the Blue Book that there must be despatches omitted which would clear up a great deal, and I want the right hon. Gentleman to give us these Papers to set things in their proper light. Here is the letter from Lord Lyons—

"I have also the honour to enclose a copy of a note in which I have thanked M. Jules Favre for the offer of facilities; but have informed him that I do not, at present, intend to leave Paris. M. Jules Favre came to see me this morning, and spoke to me of the intention he had at one time entertained of going himself to Tours and establishing the Foreign Department there. He said that he had now abandoned this intention, because he had reason to believe that he could be of more use, with regard to the internal as well as the external affairs of France, by remaining with his Colleagues at Paris. I told M. Jules Favre that I had, of course, heard of the plan of going to Tours; but that I had purposely abstained from speaking to him on the subject. I would confess that I was, personally, disinclined to leave Paris; but nevertheless I had been willing to remain entirely passive, and await a communication on the subject from him. I would, however, now, as he had introduced the subject, ask him whether it was in truth the wish of the Government that the diplomatic body should retire from Paris. He answered that, on the contrary, the Government would much prefer our remaining here for the present. If the place were actually besieged or bombarded, the case might, he said, be different; but due notice would, of course, be given by the enemy before proceeding to any such extremities. I observed to M. Jules Favre that I should probably see many of my Colleagues in the course of the day, and I inquired whether he authorized me to say to them that, so far from wishing us to go at this moment, the Government, on the contrary, would be glad that we should stay. He replied that I might not only say this, but that I might add that he particularly begged us to remain."—[No. 112.]

The answer, therefore, of the noble Lord the Under Secretary of State given to me and before referred to, on this particular point, was quite a mistake—the noble Lord not having been long enough in office probably to master all these matters. Here, also, is a letter from Lord Lyons to M. Jules Favre, dated Paris, September 11, 1870—

"I have the honour to acknowledge the receipt of the note dated to-day, by which your Excellency is so good as to offer facilities for quitting Paris to any members of the diplomatic body who may desire to withdraw to Tours. I beg leave to express to your Excellency my thanks for this considerate offer. I am disinclined to quit Paris at this moment, and, as I gather from the conversation which I was so fortunate as to have with your Excellency this morning, that the Government has no desire that I should do so, but, on the contrary, would rather I should remain, I have no hesitation in informing you that I do not at present propose to move."—[Inclosure 2 in No. 112.]

In his despatch of the 12th of September, Lord Lyons says—"I have desired Mr. Atlee and Mr. Lascelles to leave Paris." Now recollect that Mr. Atlee was the British Consul. He was appointed to remain in Paris, and he should have remained; and, when he left, the Consular seal was no longer available to British merchants, nor his influence for poor persons who were placed under his protection. No one was appointed in his place. The excuse made for the Consul in the House of Lords was that he was a married man, and he left Paris under the orders of Lord Lyons; but Paris was the place where he was appointed to remain, and I cannot understand what authority Lord Lyons had for desiring him to leave Paris, without placing some one in his stead. It was at the back of the door of the British Consulate, which is at the Embassy House, that the notice was posted that, if British subjects remained, they would remain at their own peril, and the Consul had left Paris. I have been told by a number of Englishmen that they had not the slightest idea of the fact. Lord Lyons had the notice put in *Galignani;* but these people do not read *Galignani,* or the French papers, and were entirely ignorant of it. I now come to the letter of the 19th September. The British Ambassador left, or rather fled, on the 17th September. He wrote from Tours on the 19th. And here Prince Metternich again is evidently the person who induced him to leave Paris. Lord Lyons wrote—

> "Prince Metternich, the Austrian Ambassador, came to me at Paris on the 17th inst., and told me that the Comte de Chaudordy, the head of the Cabinet of the Minister for Foreign Affairs, had brought him a message from M. Jules Favre which made him think that it would be desirable that the Representatives of the principal European Powers should leave Paris at once, in order not to be cut off from communication with their Governments. . . . . I went accordingly to M. Jules Favre the first thing in the morning, and related to him what had passed between Prince Metternich and myself. I said that, for my own part, I thought that the Representatives of the principal European Powers might very well stay some time longer in Paris. . . . . M. Jules Favre answered that his message to Prince Metternich was specially intended for the Prince himself."—[No. 147.]

M. Jules Favre was to be the following morning at the head quarters of the Prussian Army, and at the very moment Lord Lyons left Paris negotiations for peace—at all events for an armistice—were going on between M. Jules Favre and Count Bismarck. The British Minister actually sent one of his *attachés,* Mr. Malet, to the Prussian outposts to facilitate communications between M. Jules Favre and Count Bismarck; and it might have been of immense service if the British Minister had remained in Paris to see the issue of these negotiations. Under the advice of the British Ambassador, these negotiations might have resulted in peace, and the war might have terminated on the 17th of September. But, in the very midst of these negotiations, the British Ambassador, who had sent Mr. Malet to the Prussian outposts, suddenly left Paris. There is no mention in the Blue Book of any telegraphic despatch sent by the British Ambassador from Paris to Lord Granville. Had such a despatch been received by Lord Granville, he might have telegraphed to Paris, desiring the British Ambassador to stick to his post. But Lord Lyons wrote the long letter of the 19th of September, in which he said—

> "I said that I still disliked the idea of leaving Paris just yet; but that of course I should not hesitate to proceed to any place in which I could have a better prospect of being useful, and that after what he had said, if I found that my principal Colleagues thought it advisable that we should go off to Tours in the evening, I would no longer be an obstacle to their departure. The result has been, as your Lordship is already aware, that the Austrian Ambassador, Prince Metternich; the Ottoman Ambassador, Djemil Pacha; the Italian Minister, Chevalier Nigra; the Russian Chargé d'Affaires, M. Okouneff, and I, left Paris the night before last, and arrived here yesterday."—[No. 147.]

Lord Lyons told everybody that he wished to remain, and that nothing should induce him to leave Paris. He seems to have acted like a coy female—like a man, or rather like a woman, who did not exactly know her own mind. He said that he would go, and he would not go. Like Julia in *Don Juan*—

> "A little still she strove, and much repented,
> And whispering 'I will ne'er consent,' consented."

Lord Lyons at last "consented," because the Austrian Ambassador wanted him to leave Paris. He had already sent away Mr. Atlee and Mr. Lascelles. Whom did he leave? He said, "I will leave Colonel Claremont." Well, does the House know who Colonel Claremont is? He is what is called a military *attaché*—one of those appointments to which I, and, I believe, many other hon. Members, most strongly object. He has, I think, been for 16 years military *attaché* in Paris, and in the receipt of a salary of between £1,200 and £1,500 a-year—the Foreign Office paying a portion of the salary, and the War Office the rest. He has been 16 years military *attaché,* doing nothing; and the very moment when his services might have been called upon he leaves Paris. I do not know whether he is in receipt of his salary now; but I believe that for many weeks past he has been in Norfolk. Well, when the Vote comes on for maintaining these military and naval *attachés,* I shall entreat the House to support me in opposing it. These gentlemen are absolutely useless; the moment their services are required they leave their posts, and are never heard of afterwards. The British Government sent five or six officers to Versailles and Tours, and to General Chanzy's Army, but never Colonel Claremont; and the moment when he might have been expected to remain in Paris, taking an interest in the siege and attending to his duty, he entirely disappears. These military and naval *attachés* are, I repeat, the greatest farce in the world. Here is the conclusion of the celebrated despatch from our Ambassador, dated Tours, September 19. Lord Granville had told him not to leave Paris except in case of an immediate bombardment. Now, the bombardment did not occur till about the 15th of January, and Lord Lyons says he told Mr. Wodehouse to remain in Paris, but that he was to quit it if it was threatened with immediate bombardment, or with any other immediate danger. Why, "immediate bombardment" seems to have haunted Lord Lyons! He is told to stay until immediate bombardment is threatened; he goes away, and then he tells the *attaché* also that he must leave in case of the danger of immediate bombardment. I must say that the conduct of the British Ambassador appears to me most extraordinary, and to involve a dereliction of duty not only on his own part, but in the person of every member of the Embassy, such as almost to require the censure of this House. Sir, I hold in my hand a letter which I have received from a very respectable gentleman, for the accuracy of whose statement I can vouch. It is dated "Faubourg St. Honore, Paris, March 1, 1871," and here is an extract from it. The writer says—

> "Allow me to thank you personally for having brought under the notice of the House of Commons the extraordinary state of abandonment of British subjects in Paris during the late siege by the German Armies. I am one of a considerable number of English residents here, who had serious reasons for incurring the risks of danger and privations during such a critical period, engaged as I am in a branch of trade which I could not absent myself from in such circumstances without exposing myself to great loss in various ways."

The writer then goes on to allude to the notice posted on the inner door of the British Consulate at the Embassy, and states that, one by one, all officially connected with the Embassy and Consulate by degrees deserted their post. He details the difficulties which arose in consequence of the informalities of the Consular certificates being without stamp, as regards remittances, and concludes—

> "The goood offices of Mr. Washburne, the American Minister, were required for the English who left in the course of the siege, as the passes delivered by Colonel Claremont were issued by the American Legation, and signed by the American Minister."

Surely it was too hard that British subjects in Paris should have been obliged to look for protection to the American Minister. And, in referring to Mr. Washburne, I must say it is impossible to speak too highly of his conduct. Not only has he obtained the warm thanks of the German subjects in Paris who were under his care, but also of many British subjects in Paris to whom he rendered good service. I have received another letter from an English gentleman who had resided in Paris for many years, and who says—

> "In my own name, and that of many other English residents in Paris, I beg to offer you my most sincere thanks for having brought before Parliament the disgraceful manner in which we, British subjects, were abandoned during the siege of Paris."

He goes on to say—

> "On the 17th our Ambassador fled, and so hasty was his flight that he did not take the precaution of placing his unfortunate countrymen under the protection of some friendly Minister who remained in Paris."

He continues—

> "Every other country had either their Minister or Consul General. England alone had no one to represent her. Mr. Washburne generously extended his protection to many English who were in want of it."

And he states that hundreds of English ran great risk of perishing from want. I have many other letters of a similar character, all referring to the kindness of the American Minister, and showing how the interests of Englishmen were neglected by their own Legation. What is still more remarkable, I hold in my hand the copy of a letter published in *The Times* of September 15, 1870, signed "Edward Blount" (who was appointed British Consul after a delay of months), and written when it was supposed that everybody would be obliged to leave Paris. It is to this effect—

> "Paris, 3, Rue de la Paix, Sept. 13.
>
> "Sir,—I read in the Money Article of *The Times* of Friday that many of the Paris financial houses are forming branch establishments at Boulogne-sur-Mer, whither they are sending their books and securities. After having made inquiries, I can assure you this statement is erroneous, and I fear, if uncontradicted, might cause an impression that the heads of the principal banking and financial establishments had left this capital. Such is not the case, and, as far as regards myself, it is my intention to remain here, and in no case to abandon the interests confided to me."

That was written by Mr. Blount on the 13th of September, and he says he will remain in Paris during the siege attending to the interests intrusted to him; but I understand now that his appointment has been cancelled, for some reason or other, and that at this moment we have no Consul whatever there. I think I have made out this case—that the British Ambassador left Paris without orders from the British Government. He was told to remain with the *Corps diplomatique*, and he left when only three of that body left, whilst 18 remained, and when his presence might have been of incalculable service during the war. Mr. Wodehouse, indeed, remained till the middle of November, when he left, and no one whatever remained, though there must have been many important matters of urgent moment requiring the anxious care and attention of our Embassy and Consular representatives. I have a letter from a gentleman who says he went to the Embassy to ask for some assistance, and the only answer he got was that everybody had fled, and the only person he found in authority was the inferior person probably referred to by my right hon. Friend—namely, the porter. All the valuable archives of our Embassy were there; and I confidently ask the House whether it was a proper thing for the Representative of the Queen and of this great country to have abandoned his post in the way I have described, when almost every other Power, with one or two exceptions, had a Representative within the walls of Paris? I know there is a strong feeling in the country on the subject. But there are other circumstances connected with the desertion of our Embassy to which I wish to advert, because they are of very great importance. I have said our Ambassador left Paris in the midst of the negotiations between M. Jules Favre and Count Bismarck, and it is impossible to know what good might have resulted but for that fact. Earl Granville had the highest hopes of that negotiation; he says so distinctly. The British Ambassador actually despatched one of his *attachés* to the German head quarters. Lord Granville thought the interview between M. Jules Favre and Count Bismarck could not fail to be of use in the interests of peace; but when M. Jules Favre comes back from that interview he finds Lord Lyons gone; he has no one to communicate with; and the negotiation he had commenced, not unnaturally falls through. The advice and assistance of the British Ambassador at such a time might have been of the very highest value. But I come to the still more important negotiation in October. M. Thiers himself went to see Count Bismarck, and tried everything he could with every appearance of success. Lord Lyons, being then at Tours, obtained a pass for M. Thiers; but that negotiation also fell through, and what are the grounds on which it fell through? The only difficult question raised was the re-victualling of Paris. Observe, that if the British Ambassador had been there, he might have been able to prove to M. Thiers that that was a condition which it was not necessary to insist upon, because it is well known that there were provisions in Paris of which M. Thiers was apparently not aware—provisions sufficient to sustain not only the garrison, but a population of nearly 2,000,000, until the 15th of January. Therefore, the point on which that negotiation fell through might have been fairly discussed by our Ambassador with M. Thiers, the difficulty might have been got over, and a prospect of speedy peace thus obtained. Well, I ask the right hon. Gentleman at the head of the Government whether he will be good enough to give the House some fuller information as regards the conduct of the British Ambassador, and his conduct in reference to the British Consulate in Paris than he has yet vouchsafed to us? I cannot help thinking that blame attaches specially to that noble Lord far more than to the persons whom he had in authority under him in the British Mission. As I have already stated, I entirely exculpate Lord Granville; there was no alternative for him. The British Ambassador did not ask Lord Granville on the 17th of September whether he should leave Paris, but he left Paris, and then asked from Tours whether Lord Granville approved what he had done. I most unhesitatingly assert that Lord Granville had no knowledge that the British Ambassador was leaving. Up to that day he told him explicitly that he was going to remain, and it was only at the very last moment that, yielding to the solicitations of Prince Metternich, he left. It has been suggested that by the rules and regulations adverted to by the First Minister of the Crown on the 17th of February, it is left to the discretion of Her Majesty's Ambassadors whether or not the circumstances are such as to justify their leaving their posts; but I say those rules and regulations do not appear in the Blue Book laid upon the Table of this House, and by that Blue Book alone can we judge of the matter. I maintain that unless a better case can be made out on his behalf than is shown by the Blue Book, Lord Lyons was guilty of a certain dereliction of duty towards the 1,500, the 2,000, or the 3,000 of Her Majesty's subjects who continued to remain in that city after the British Ambassador had left. I would, conclude, Sir, with this citation. The right hon. Gentleman said the other day that it was quite a mistake to suppose that the British Ambassador had left town or country to the neglect of his primary duties. "Primary duties" was the expression he used, and he said that the primary duties of the British Ambassador were not to attend to the interests of the British subjects. Now, Lord Palmerston held very different views of the duties of an Ambassador. In June, 1850, when his conduct was called in question with respect to the protection he had given to our fellow-subjects abroad, he said—

> "I therefore fearlessly challenge the verdict which this House, as representing a political, a commercial, a constitutional country, is to give on the question now brought before it; whether the principles on which the foreign policy of Her Majesty's Government has been conducted, and the sense of duty which has led us to think ourselves bound to afford protection to our fellow-subjects abroad, are proper and fitting guides for those who are charged with the government of England; and whether, as the Roman, in days of old, held himself free from indignity, when he could say *Civis Romanus sum*, so also a British subject, in whatever land he may be, shall feel confident that the watchful eye and the strong arm of England will protect him against injustice and wrong."—[3 *Hansard*, cxii. 444.]

I maintain that that strong arm and watchful eye were not exercised by Lord Lyons in the interest of the British subjects confided to his charge as far as appears from the Blue Book, and I hope that the right hon. Gentleman at the head of Her Majesty's Government will be able to give such further explanation as may relieve many, both in this House and in the country, who cannot overcome the impression that the British Ambassador at Paris, by leaving that city when he did, was guilty towards his fellow-countrymen of gross dereliction of his public duty.

MR. GOLDSMID said, that it appeared to him there were two important points in this question for the consideration of the House. First, whether Her Majesty's Government were right in recommending Her Majesty's Ambassador to leave Paris when the siege began; and, secondly, whether Lord Lyons was right in ordering the British Consul to leave that city at the same period. Upon the former of those questions he entirely disagreed with the right hon. Baronet (Sir Robert Peel), while he entirely agreed with him respecting the latter. The right hon. Baronet had stated to the House that—as he chose to call it—the flight of the British Ambassador from Paris was most unmanly—that he ought to have stopped in Paris in order to take care of the interest of the British subjects inhabiting that city. The right hon. Baronet showed by that observation that he did not accurately understand what was the duty of the British Ambassador at Paris. In his opinion, there were two clear duties which every Ambassador who represents this country ought to discharge. His first and primary duty—to adopt the words of the right hon. Gentleman at the head of the Government—was to look after the interests of this country, with regard to all the affairs which might connect us in any way with foreign nations; and his second, to descend to individual cases and to look after individual rights; but it was a well-known theory of political economy that the rights of individuals come after the rights of States. The right hon. Baronet had ventured to give a Swiss precedent, and had told the House that when he was in Switzerland he did not leave his post, though he had no instructions on the subject. There really was no precedent in that case at all, as it did not involve our relations with one of the greatest nations in Europe. It did not involve the dragging of ourselves into one of the most perilous wars in history. On the contrary, the conduct of the Government in the present case appeared to be clear and intelligible. They told Lord Lyons that he was to remain in Paris, and to look after the interests of British subjects while he there remained; but it was perfectly obvious that that was not to be the primary object of his remaining there. The right hon. Baronet had himself quoted from despatches which showed plainly that Lord Lyons, on the 12th of September, did not think of leaving Paris simply because M. Jules Favre had given up the idea of leaving that city. When the Ministers representing Russia, Austria, and Turkey left Paris it would have been of the gravest importance to this country had its Ambassador been locked up in Paris for an indefinite period. Upon this point the right hon. Baronet had completely refuted himself, because he had gone on to show how important it was to obtain, as Lord Lyons did, a safe conduct for Monsieur Thiers, to enable him to negotiate with Count Bismarck—a service which Lord Lyons would have been unable to render had he been shut up in Paris. The reason why Lord Lyons changed his opinion between the 12th and 19th of September on the subject of his remaining in Paris was, because on the 17th of that month it had become perfectly obvious that the city was to be closely besieged; that there would be no communication between those within its walls and the outer world; and that, consequently, the British Ambassador would not be able to maintain that correspondence with Her Majesty's Government which was necessary for the interests not only of this country, but also of France and of Europe. It therefore appeared to him that the right hon Baronet had not made out his case as far as regarded his charge against Lord Lyons. But as far as Lord Lyons was concerned, under any aspect of affairs—under any view of the case, the right hon. Baronet had hardly a right to say that the flight of the noble Lord from Paris was unmanly. It was not upon such a consideration that Lord Lyons had quitted that city. The House would rest assured that even in the event of Lord Lyons having been mistaken in the course he had pursued, the noble Lord had acted under a strong sense of duty, and that he had left Paris in the belief that he could serve his country best by so doing. There was, however, the other charge, which he regarded as the much more serious of the two, and as the one which more closely affected British interests. In his view there was a great difference between the position of an Ambassador and that of a Consul. While the primary duty of an Ambassador was to look after the interests of his country, the primary duty of a Consul was to look after the interests of individuals; and accordingly, if there was a state of danger in any particular place, there was all the more reason for the presence of a British Consul. He had travelled in various countries, and had found a reference to a British Consul of the very greatest importance. Lord Lyons appeared to him to have been guilty of a mistake in permitting the British Consul to leave Paris simply on the ground that he was a married man. Without desiring that the British Consul in that city should have been more rash in exposing himself to danger than other Consuls in similar circumstances, he thought that that gentleman should not have consulted his own interests before those of the persons whom he was sent to look after; and, therefore, even if he did run some risk by remaining in Paris, he ought to have remained in order to succour British subjects who might be in distress. Since he (Mr. Goldsmid) had asked the Question which he had put to the Government some time ago, he had received several letters from Paris, in which he was informed by the writers that the sufferings and distress among the poor English during the siege knew no bounds, and they corroborated what the right hon. Baronet had said, that they had gone in crowds to the British Consulate, and endeavoured to obtain assistance, but they found nobody but a porter at the Consulate, who told them that everybody else had left. That, most certainly, was not a satisfactory state of things. As the right hon. Baronet had said—and said well— though these poor people were succoured by the noble charity of Mr. Wallace and Mr. Blount, and the brother of the Member for Nottingham, who did that work during the whole of the siege, still it was a work which should not have been thrown on private hands. He believed it to be a fact that, at a subsequent period, Lord Lyons had discovered that he had made a mistake in removing the British Consul from Paris, and had endeavoured to get him back into Paris; but that the endeavour totally failed. If this was true, it went strongly to show that his view of the case was the correct one; but, under any aspect of it, the House ought to have some better reason for the absence of the Consul than that he was ordered to leave because he was a married man. He would, therefore, ask the right hon. Gentleman at the head of the

Government whether there was any other ground on which the English Consul had been removed, and had thereby left the interests of the poor English totally unprotected? The answer that had been formerly given in regard to the poor English in Paris—that if they were unprotected it was their own fault, because a notice was put up at the door of the Consulate that they were to leave at a certain time, was, in his opinion, hardly an answer at all; because a great number of the very poor English in Paris had a great deal more to do in order to earn their daily livelihood than to go looking about for notices which might or might not be attached to the door of the Consulate. It was a very serious matter that these poor people had been without the means of protection which they ought to have had. There was another point on which he had a word to say—that Paris was one of the few places where a Consul also occupied the position of an *attaché*. Now, was this a desirable mixture in Paris? He thought the duties of a Consul and those of an *attaché* ought to be so entirely distinct; and that, in Paris especially, the duties of Consul were of such importance that the two offices ought to be confided to different persons, and that the Consul ought to have nothing else to do. His principal reason for saying this was that, according to his information, on many occasions long before the siege of Paris, British subjects made application at the Consulate for the performance of the various duties which Her Majesty's Consuls usually attended to, and only found a clerk, who, from want of knowledge, was not able, or from superciliousness, was not willing to comply with the requests made to him. This was a matter of much importance to English interests; and he hoped it would in future receive the attention of Her Majesty's Government. For the reasons he had given he could not agree with the right hon. Baronet as to the departure of Lord Lyons, but thought it was the right and proper course to take under the circumstances; but, on the other hand, he joined with the right hon. Baronet in deeply regretting that, during the long and terrible siege of Paris, there was no Consul in that city to look after the interests of British subjects.

MR. BAILLIE COCHRANE said, his right hon. Friend opposite (Sir Robert Peel) had referred with laudable pride to his own conduct in 1847, and he had a perfect right to do so, for he (Mr. B. Cochrane) perfectly remembered the generosity and the courage with which the right hon. Baronet acted at that time. The right hon. Baronet also referred to the gratification with which he received the approval of his conduct by the Government, than which nothing could certainly be more encouraging to an official who had been placed in difficult and painful circumstances. But even before the approbation of the Government of the day was the approbation of Parliament; and therefore he regretted that his right hon. Friend, who was always so generous in his character and in his emotions, had not considered the matter a little more before he had made this attack upon the Ambassador at Paris, who throughout his career had won the respect and affection of everyone who knew him, and the confidence of both sides of the House, and who had on the present occasion justified by his conduct the approval which Parliament had in time past bestowed upon him, and would bestow again. Now, his right hon. Friend was the last man to put a thing unfairly; but yet there was something like a *suppressio veri* in his manner of putting his case before the House. His right hon. Friend said that Lord Lyons acted in direct opposition to his instructions, and that he did so from unmanly—in fact, from cowardly motives. Before proceeding to examine the evidence on this point he must say, with regard to the policy pursued by Lord Granville, that so far as Lord Lyons and the British subjects in Paris were concerned, the policy was a generous one. The first despatch to which he would refer was one from Lord Granville to Lord Lyons, in which he wrote—

> "I have to instruct your Lordship to remain at your post as long as any of the *Corps diplomatique* are able to do so. . . . In the event of Her Majesty the Empress deciding to retire from Paris, with a view to maintaining the Imperial Government with even a mere shadow of power, you will under no circumstances follow Her Majesty."—[No. 71.]

This showed clearly that at the time the despatch was written Paris was neither invested nor besieged. Coming to the despatches themselves, he must say that in the comments upon them but scant justice had been done to Lord Lyons. In one of the despatches the noble Lord said he had heard of a plan to remove the Government to Tours, but he purposely abstained from speaking to M. Jules Favre on the subject, as he was personally disinclined to leave Paris; and in another despatch, dated the 19th, he repeated that two days earlier he had expressed the same disinclination to Prince Metternich the Austrian Ambassador, adding that, nevertheless, he should leave the city if it appeared he could be more useful elsewhere. After reporting a part of the conversation between himself and Jules Favre, the despatch of Lord Lyons proceeded as follows (and this passage the right hon. Baronet did not read to the House):—

> "In the meantime he" (Jules Favre) "would advise me to take advantage of the train he had ordered for Tours, as by doing so I should, perhaps, learn the result of his mission sooner than if I remained in Paris, and, at all events, he was far from thinking it desirable that the Representatives of the principal European Powers should run the risk of being shut up in Paris and deprived of free communication with their Governments."—[No. 147.]

[Mr. G. B. Gregory: Read the next paragraph.] The next paragraph was as follows:—

> "I said that I still disliked the idea of leaving Paris just yet, but that of course I should not hesitate to proceed to any place in which I could have a better prospect of being useful, and that after what he had said if I found that my principal Colleagues thought it advisable that we should go off to Tours in the evening, I would no longer be an obstacle to their departure."—[*Ibid.*]

He understood his right hon. Friend to say that the other Ambassadors remained in Paris; but Lord Lyons, in a despatch which he wrote to Lord Granville on the 19th of December from Tours, said—

> "The Austrian Ambassador, Prince Metternich; the Ottoman Ambassador, Djemil Pacha; the Italian Minister, Chevalier Nigra; the Russian Chargé d'Affaires, M. Okouneff, and I, left Paris the night before last, and arrived here yesterday."—[*Ibid.*]

He (Mr. B. Cochrane) thought he could clearly prove to his right hon. Friend that M. Jules Favre, instead of protesting against Lord Lyons leaving Paris, urged him in the strongest manner to leave Paris, and Lord Lyons gave up his own convictions in order to perform his duty towards the Government and the country. He thought this was a question on which he ought not to trouble the House at any length. The question lay in a nutshell, and he could only repeat that his right hon. Friend marred the powerful speech which he made by his attack upon Lord Lyons. Nothing could be more distressing to any man who attempted to do his duty in most arduous and difficult times than to find himself subjected to this description of attack. Every Ambassador must act on his own judgment and discretion in these matters. Lord Lyons acted with that great discretion which he always showed. He (Mr. B. Cochrane) was very pleased that his right hon. Friend had brought forward this question again, because he thought Lord Lyons in a recent despatch showed that he felt very deeply the attack made upon him some days ago in the House, and he (Mr. B. Cochrane) believed the unanimous feeling of the House would be that Lord Lyons had deserved well of his country.

Viscount ENFIELD: The right hon. Gentleman (Sir Robert Peel) stated in the outset of his observations that it would be his duty to ask the Government to produce further Papers bearing upon the subject of Lord Lyon's departure from Paris. These Papers have already been laid on the Table, though I am not sure the right hon. Gentleman has seen them. I had hoped they would have been circulated to-day; but, whether they have been so or not, I shall observe the invariable rule adopted in this House of not alluding to Papers which Members may not have yet seen. But this I will venture to say—that, if the right hon. Gentleman reads those Papers with the same care and attention he has devoted to other Papers in the Blue Book, he will become convinced that the conduct of Lord Lyons was neither "unmanly nor ungenerous;" but, on the contrary, it was dictated by everything that was kind, generous, and humane. I may be well content to leave the defence of that noble Lord not only to the approbation of Her Majesty's Government, as expressed in the Blue Book, but to those speeches which we have heard this evening from my hon. Friend the Member for the Isle of Wight (Mr. Baillie Cochrane) and the hon. Member for Rochester (Mr. Goldsmid), and which go directly to contradict what the right hon. Baronet the Member for Tamworth has said with respect to the conduct of Lord Lyons; and I feel sure that every hon. Member, on whatever side of the House he may sit, who has studied the career of the noble Lord for upwards of 32 years, will feel that to apply the epithets "unmanly and ungenerous" would be altogether a great mistake, to use the mildest Parliamentary expression. It will be my duty to bring back to the consideration of the House the position in which the English Embassy was placed after the departure of Lord Lyons on the 17th of September. If it be urged against the noble Lord that he did wrong to allow Mr. Atlee and others to quit the Embassy, I think he might fairly claim for himself, in his high position, the right to select the subordinate he thought best fit for a particular duty; and by his selection of Mr. Wodehouse to remain in Paris, I believe British interests did not suffer. Mr. Wodehouse remained in Paris from September 17th up to November 8th; but during the month of October Lord Lyons, naturally solicitous for the interests of the British residents remaining in Paris, and of the remaining portion of the diplomatic staff, obtained from the Prussian authorities a safe conduct; and the British residents received due notice to leave the city, under the safe convoy of Mr. Wodehouse. That was done, and I believe he used every means in his power, and gave every information at his disposal, to enable those residents to quit. Accordingly, from 80 to 90 of them left Paris on the 8th of November, under the safe convoy of Mr. Wodehouse; but, unfortunately, it came to the knowledge of Lord Lyons that there were still a certain number of British residents who, whether from their inability to obtain the information as to the safe convoy that was circulated in the widest possible manner, or whether they had a dislike to leave their homes in the city, still remained there. Every exertion was used to induce them to quit; our military *attaché* was willing to accompany them—our naval *attaché* was also willing to go with them, but was unable, through illness, to leave the city—but when Colonel Claremont finally quitted Paris, these remaining British residents, from unwillingness or inability, did not accompany him. Now, when I hear grave reflections made on the character of Colonel Claremont, and when it is stated that, when the Estimates are brought forward, the House will be asked to refuse the Vote for Colonel Claremont's services, I hope I may then be in a position to prove that during the 14 years Colonel Claremont has occupied the position of military *attaché* to the Embassy of Paris, he has done his duty as a soldier and as a gentleman. It is not to be denied that a certain number of British residents yet remained in the city, and that from the 8th of December until the middle of January no actually accredited person represented the British Embassy; but by means of the British Charitable Fund, a gentleman, Mr. Blount by name, was enabled to convey that assistance to those residents which, from strategical motives, it was impossible could be conveyed by an accredited official representative. Mr. Blount acted with such humanity, generosity, and delicacy of feeling that he won the approbation of this House and the country. It was impossible, from the 8th of December to the middle of January, for the gentlemen of the Embassy, who had been desired by Lord Lyons on no account to quit France, to obtain a permit to pass through the Prussian lines into Paris; and consequently during that time, those gentlemen were absent from the city. But on the 20th of January a commission was sent to Mr. Blount to act as British Consul, and from that time up to a very few days ago that gentleman has acted in defence of British interests in a way which will, I am sure, obtain the approbation of everyone not only in this House, but in the country. And while on this subject I am anxious to correct what was doubtless an unintentional mistake on the part of the right hon. Baronet when he said that Mr. Blount was superseded, or likely to be removed from those duties. Now, if my memory serves me correctly, it was at Mr. Blount's own request that that commission was cancelled. It was cancelled because he felt that the period during which he had to perform the services he rendered with so much zeal and ability had expired, and he was anxious to receive relief in regard to the duties he had undertaken. He was accordingly relieved at his own request, and the thanks of Her Majesty's Government had been conveyed to him for what he had done. It is to be regretted that during a certain portion of the time to which I have referred there was actually no Representative of the British Embassy in Paris; but I believe it was unfortunately through the stress of circumstances, and strategical reasons, that anyone was prevented from passing through the Prussian lines into Paris;

and I venture to say, believing the House will agree with me, that the fact of Lord Lyons having quitted Paris at the time and under the circumstances he did will not detract from the high appreciation of his public services which has been entertained both by this House and by the country, whom the noble Lord has served so long and so faithfully.

Mr. W. LOWTHER said, the right hon. Baronet (Sir Robert Peel) had called the conduct of Lord Lyons "unmanly and ungenerous." Now it struck him that if there was anything unmanly or ungenerous it was that a Member of the House of Commons should get up and attack one who had no means of defending himself in that House. Lord Lyons, as the noble Viscount had stated, had served for many years in various parts of the world, and had always been looked up to with the greatest respect for the high qualities which he possessed. No blame whatever was to be attached to Lord Lyons for leaving Paris under the circumstances. He had clear instructions for what he had done; but, at all events, some discretion must be left to persons in his position, and Lord Lyons had acted with the greatest circumspection. If he had remained in Paris the right hon. Baronet would probably have accused the Government of want of foresight for having left him there, when he might have been of much more use elsewhere. At the time Lord Lyons received his instructions, it was the general opinion that the bombardment of Paris was going to begin; Lord Lyons was accredited to the Emperor, and was bound to remain with the Government of France, whatever that Government might be. When Lord Lyons removed from Paris, and authorized Mr. Atlee to leave Paris also, he ought to have received instructions from the Foreign Office to appoint some one in Mr. Atlee's place to look after the interests of British subjects. The noble Lord stated that Mr. Blount was not appointed to act as British Consul until January 20; whereas Lord Lyons ought to have given him some sort of official position before he left, so that distressed British subjects might have applied to him for relief. British Consuls abroad had authority to advance money to distressed British subjects, and out of the 2,000 in Paris some would no doubt have gladly availed themselves of the assistance of their Consul to return to their native country. Any such outlay, if asked for by the Government, would gladly have been voted by that House. The right hon. Gentleman stated that the United States Minister had remained in Paris, and had been most useful to British subjects. No doubt if the United States Minister received instructions from his Government to remain in Paris during the siege, he was bound to do so, and not to go away. But when we saw the Representatives of great countries—Italy, Austria, Turkey, and Russia—leaving Paris; all under the same circumstances, and all of one mind, he thought it was quite enough to convince Lord Lyons that the time was come for him to leave Paris too. It was stated that 17 Representatives of foreign Powers had remained; but he doubted whether there was among them the Minister of any country that took a great part in the affairs of Europe, and the British Ambassador was therefore quite right to associate himself with those who accompanied the Delegate Government. It was remarkable that the right hon. Baronet who had brought the accusation against Lord Lyons had himself served, and with credit, in the diplomatic circle, and consequently must have been aware that a man in the position of the Ambassador in Paris must take upon himself a great deal of responsibility, and that if he could not at any moment ask for instructions he must act on his own discretion. He trusted that the House would not hear any more hard words thrown at one who occupied so high a position in the public service as Lord Lyons. His personal acquaintance with that nobleman was very slight; but he was well acquainted with his public career, and no man was more deserving of the high opinion of his fellow-countrymen.

Mr. RYLANDS said, he did not wish to join the right hon. Baronet (Sir Robert Peel) in any harsh language directed towards Lord Lyons, or against his having left Paris. Upon this point, he thought there could hardly be a question that Lord Lyons discharged his duty, and that the Government were pleased that he accompanied the French Government to Tours. But there was an important question which had been alluded to by the right hon. Baronet, and by the hon. Member for Rochester (Mr. Goldsmid), and which the Under Secretary of State had in no way met. His Lordship said that Lord Lyons had the power of selection. No doubt he had. Lord Lyons had the right of selection; and he had abundant opportunities of selection. At the time of the breaking out of the war there were in Paris, in addition to our Ambassador, a secretary of the Embassy with a salary of £1,000 a-year; three second secretaries with salaries ranging from £400 to £250; a military *attaché*, Colonel Claremont, receiving £500 a-year from the Foreign Office, a naval *attaché* similarly paid, a third secretary, and an unpaid *attaché*. Mr. Atlee was not only our Consul but registrar and librarian to the Embassy, and, in addition to a salary of £570, he received £200 a-year for office expenses and house rent. The total charge of the British Embassy at Paris, leaving out the expense of keeping up the official residence, and only reckoning the salaries, was £14,000 a-year; and yet it was impossible for the British Embassy, with its numerous subordinates, to find a single man to leave in charge at the Embassy under circumstances entailing great difficulty and distress among some 2,000 British subjects. Mr. Atlee the Consul, and Mr. Lascelles were sent out even before Lord Lyons left, upon the ground that they had very little or nothing to do, and that he could, therefore, spare their services. And his noble Friend (Viscount Enfield) thought it a justification of what Lord Lyons had done that they were only sent to Versailles. When, however, he wanted to send Mr. Atlee back into Paris, he found he could not do so, and that he had put him outside the possibility of being of any service. If it had been thought right to allow Mr. Atlee to leave Paris, some other official should have been left to take care of British interests, and as this had not been done the House had a right to call in question Lord Lyons' judgment and discretion in allowing the Consul to quit Paris at so very early a period. Let hon. Members consider what Mr. Atlee had to do. He was not only an *attaché* and a Consul, but a librarian. The librarian had to take charge of the archives of the Embassy. What were those archives? The Foreign Office would tell them that they were manuscripts of great value. Probably, they would go back to a remote period—to possibly a century. The rule at the Foreign Office had been to send copies of important despatches to Paris, and to allow the Embassy there to take copies of such despatches from our Ambassadors on the Continent as used to pass through Paris, in order that our Ambassador in that capital might be well informed in all matters of diplomacy. But our Foreign Office was like the Bourbons: it learnt nothing and forgot nothing, and the old system, which might have been necessary before the days of telegraphs, railways, and steamboats, was still kept up. All these archives were left at the Embassy during the siege. They were at the mercy of the bombardment, and the librarian, whose special duty it was to take care of them, was not there to protect them, if necessary, with sandbags. Perhaps, if all these despatches had been destroyed, it would be no serious loss either to England or Europe; but at least, as Consul, Mr. Atlee was bound to be at his post to look after the interests of British subjects, when other countries were represented during the siege by their proper Representatives. The noble Lord had, in fact, admitted this part of the case; but he argued that Lord Lyons had a right to select Mr. Wodehouse to remain in the place of Mr. Atlee, and if he had remained to the end of the siege, and discharged the duties of Consul throughout, there would have been nothing to complain of. But Mr. Wodehouse's departure was only a question of time. The very first note of danger carried away Mr. Atlee and Mr. Lascelles, and by the end of September Lord Lyons not only took his departure, but carried away with him almost the whole *personnel* of the Embassy. Mr. Wodehouse, in November, also left, and when he did so, he left behind him in Paris from 1,500 to 2,000 British residents not gentlemen of property and with the means of leaving Paris, but people who were chained there by the circumstances of their lives. Hundreds of them could not leave. While Mr. Wodehouse took with him 80 or 90 British residents, and conveyed them through the Prussian lines, he left from 1,500 to 2,000 behind, disregarded and ignored by the whole of the British Embassy. He had received a letter from a British tradesman in Paris, stating that he had sustained a large amount of inconvenience in Paris by the fact that, from the middle of November till the middle of January, there was absolutely no British Representative in Paris. The presence of Mr. Blount only dated from the end of the siege, on the occasion of the armistice. In *The Daily News*, whose correspondence on the war had been remarkably accurate, a letter had appeared from their correspondent in Paris, who had some business to transact at the Embassy, and he said that when he went there a porter, mopping the stairs, was the only visible Representative of the British Government. This porter showed him into a room, and presently a little man in slippers came in, and told him he had been summoned from some cleaning operations upstairs, and produced a seal and spat on it, and, with gentle persuasion, succeeded in affixing the seal to his credentials, and then gave the document to him to get signed by Mr. Blount; that he then went to Mr. Blount, who was very kind for a Consul, but said he was totally ignorant of his new duties, and then signed the document. It was incomprehensible that such a state of things should occur, and, not being satisfied with the explanation of the noble Lord, he hoped when the Estimates came to be discussed that it would be found possible to save the pockets of the taxpayers in the matter of the Paris Embassy without damage to the State.

Mr. WHALLEY said, he thought it of the utmost importance that Lord Lyons should be at the seat of Government in France; and, having been at Bordeaux on a mission of charity, he could testify to the zeal and devotion of the noble Lord in the discharge of his duties there. It would not have been possible to give full effect to the benevolence of the English people had it not been for the personal interest taken by Lord Lyons in this effort, as he said, to sweeten the relations between the two countries, and had it not been also for the authority he exerted.

Mr. GLADSTONE: Two points have been raised in the course of this debate, and in both the conduct of Lord Lyons has been impugned. I hope my hon. Friend (Mr. Rylands) will not think me too critical if I say that he has mixed up, in a manner not the most expedient with a view to perfect justice in the case before us, two distinct characters—one, that of a judge upon the Papers before the House, and the other that of a diplomatic reformer and economist—a career in which I heartily wish him success. If my hon. Friend objects, as we know he does, to the diplomatic establishments which he seeks to prove unnecessary—and we shall be very glad if he can prove them to be unnecessary—he ought not to fortify his case against them by any biassed judgment upon questions affecting the conduct of the members of those establishments upon a particular occasion. Now, Sir, we do not deny that there has been suffering, which was less adequately relieved than it would have been if a British Representative had been in Paris all through the period of the siege. The question is—how that came about, and whether blame is justly attributable to Lord Lyons. We contend that blame is not justly attributable to Lord Lyons. My hon. Friend, unintentionally of course, did not state with perfect accuracy the time during which there was no British Representative in Paris. I understood him to say that period began in the middle of November and continued till the 18th of January. When Lord Lyons left Paris he exercised his individual judgment as to the person he had better leave behind to take care of British interests; and in a despatch written at the time, and circulated to-day, he advisedly determined —and I see no reason to doubt that his decision was a good one—that it would be better to leave Mr. Wodehouse, on account of his being able to discharge diplomatic functions as well as Consular duties, than to leave Mr. Atlee to perform the latter duties alone, Mr. Wodehouse being perfectly well able to take care of the interests of British subjects. Mr. Wodehouse continued in Paris till a certain day in November, and when he left a certain number of British subjects went with him. I am bound to say, in passing, that we do not subscribe to the estimate given of the number of British subjects who remained behind. We have no means of giving accurate information upon that subject; but we believe the number to be very greatly less than was stated upon hypothesis by an hon. Gentleman opposite, and very considerably less than was stated by my right hon. Friend (Sir Robert Peel). But these functions for caring for British subjects were passed on by Mr. Wodehouse to Colonel Claremont, who remained in Paris until December 12.

That, therefore, was the period from which the unfortunate interval commenced. It has been already stated by my noble Friend (Viscount Enfield) that the mind of Lord Lyons was directed to this subject; and it was not the fault of any British authority that no person was sent into Paris, after Colonel Claremont left it, for the purpose of looking after those destitute persons. Efforts were made to send in a Consul; but the rules then enforced by the besieging army made this impossible, no one being allowed to cross the lines. That, I believe, is the simple state of the case; and, under these circumstances, although we may lament what happened, I cannot think that blame attaches to Lord Lyons for what it was impossible he could foresee, and what, through military exigencies, it became beyond his power to prevent. That is one question, and with respect to the other, I appeal to the candour of my right hon. Friend (Sir Robert Peel) whether, during the whole of the debate, the opinion of the House has not been against him with regard to the departure of Lord Lyons from Paris. It is impossible to fix the blame upon him for two reasons. In the first place, although we did not at a given moment telegraph to Lord Lyons and say—"Now the time is come at which you must leave Paris," we did provide him with directions as to the circumstances under which he was to leave, and upon those directions we consider he acted. If, therefore, anybody is to blame in the matter it is the Government, who have made themselves responsible for his conduct. But I think my right hon. Friend, in his treatment of this case, has given undue importance to those duties which are inferior, and has forgotten, or placed out of view, those duties which are paramount. We felt it to be of paramount importance that Lord Lyons should continue in a position in which he could communicate with the French Government and also with us. That condition it was impossible to fulfil unless he quitted Paris, and, in our opinion, he exercised a perfectly sound judgment, as well as acted within the spirit of his instructions, in the choice he made. I am very glad that Lord Lyons, when he becomes acquainted—as doubtless he will—with the tenour of this debate, will find that the course of the discussion has abounded with testimony as to his merits and high character, which the slightest disposition has not been shown to disparage, while, as to the particular case of his having quitted Paris, I think my right hon. Friend the Member for Tamworth will be of opinion that he has opposed to his view the unanimous sentiment of the House.

INDIA—CIVIL ENGINEERS.

RESOLUTION.

SIR FRANCIS GOLDSMID rose to call the attention of the House to the recent establishment, under the orders of the Secretary of State for India, of a College, to the students of which are to be transferred the opportunities until lately afforded to young men possessing the attainments required (wherever they might have been educated) of entering the service of the Government of India as Civil Engineers; and to move the following Resolution:—

> "That, in the opinion of this House, young men qualified by character and attainments for admission into the service of the Government of India as Civil Engineers, ought not to be excluded from such service by reason of their not having been educated at a Government College,"

The hon. Baronet said that the question raised by this Resolution had been mentioned by him during last week's debate on Indian Finance, but that it had been impossible, amidst the multiplicity of topics which that debate involved, that either he or his hon. Friend the Under Secretary of State for India should discuss this particular subject in a manner worthy of its importance; and that he (Sir Francis Goldsmid) therefore, now asked permission to bring it distinctly under the notice of the House. It was important not only because it affected the competency of the persons to whom was to be entrusted an expenditure amounting, as appeared from the recent Financial Statement, to £7,000,000 or £8,000,000 a-year, but also because the arrangement proposed by the Government was a departure from the entire course of the policy for some years past adopted by them, and approved by the House and the country. It would be remembered that, when the rule of India was transferred from the East India Company to the Crown, the whole Civil Service of that country had been thrown open to public competition. Haileybury College, where formerly young men nominated for appointments in that service received their education, was closed. The Under Secretary of State said that this step was taken not because Haileybury was useless, but because pupils had been admitted to it by nomination only. If, however, this was the reason, why was not admission to Haileybury thrown open to public competition, instead of the institution being abolished? Again, this principle of open competition, which had now for some years been tried with reference to the Civil Service of India, had so commended itself to the general opinion that, when last year the hon. Member for Brighton (Mr. Fawcett) brought forward a Motion for the extension of the same principle to the Civil Service at home, the Prime Minister announced the intention of the Government to make arrangements for at once applying it to nominations in several Departments; and these arrangements were shortly afterwards carried into effect. When the Civil Service of India had thus for years been thrown open to the ablest candidates, wherever educated, when the same principle was being extended by the present Ministry to large branches of the Home Service, how were we to explain the fact that this same Ministry was almost at the same moment announcing that through one door alone should admission be obtained to one particular department of the Indian Civil Service? The only possible reason for so wide a departure from the whole course of recent policy would be that the Government could not get the want that had suddenly arisen for civil engineers, to be employed by them in India, supplied by any other means. And, accordingly, the Under Secretary of State had informed the House that he would show conclusively that the attempts of the Government to obtain the men they required by open competition had failed. He (Sir Francis Goldsmid) did not dispute this; but he said that they failed not through the absence of a special place of education, but because the terms offered had been too low to attract young men of first-rate ability and attainments. Hon. Members might say—"On such a point as the proper rate of remuneration we must necessarily trust the opinion of the Government, not yours." But on this point it was the opinion of the Government that he asked them to trust. The Secretary of State had shown that he thought his previous offer too low by largely increasing it. The rules of 1869 (p. 1-4) offered £20 a-month, or £240 a-year, and left the time when that salary might be increased wholly uncertain. The prospectus of 1870 offered £420 a-year from the time of admission to the service. Thus the new offer was to the old in the proportion of 7 to 4; or, if one supposed the outfit, which in each case the young engineer would have to pay for himself, to cost £60, the net receipt for the first year was now doubled, being £360 instead of £180. Why did not the Government try this liberal increase of remuneration in the first instance, instead of rushing at once to the foundation of a College? Why were all to be excluded from the Government service, however great their qualifications, who could not afford to pay for their collegiate training £150 a-year? He (Sir Francis Goldsmid) did not know whether hon. Members had had occasion to make themselves acquainted with advertisements of eligible private academies. It appeared to him that the prospectus of the new College bore too close a resemblance to this branch of light literature. The provision in Paragraph 25 that each student would be required to furnish his own linen, &c., for use in his room, reminded one irresistibly of the usual declaration that every pupil must bring six towels; and, though the accompanying silver spoon and fork were not to be found in the present edition, he had little doubt that they would appear in the next. But it was more important that the making of education in this College a necessary preliminary to the admission of young Englishmen to the Civil Engineering Service of India amounted to an announcement that the noble Principal had, by an arrangement with his partners in Downing Street, secured exclusive privileges and patronage for the pupils enjoying the benefit of his care. By not trying, in the first instance, the experiment of raising their rate of remuneration, the Government had lost the most convenient opportunity of ascertaining the necessity for establishing a College. But it was still possible to avoid objectionable exclusiveness by allowing young men educated elsewhere to compete with the Government Collegians. The Under Secretary of State had intimated in last week's debate disinclination to consent to this, and an opinion that if it were done the money expended on the College would have been thrown away. But he (Sir Francis Goldsmid) had reason to hope that further consideration might have modified this view. The truth was that such an arrangement would afford the best chance of preventing money from being thrown away. It must have one of the three following results:—1. Men from without might in the competitive examinations show themselves, in a large majority of instances, superior to the Collegians. In this case the Government would themselves admit the expediency of closing the College, and avoiding further useless expenditure. 2. The Collegians might habitually show themselves superior to the men from without. In this case the Government would have established the wisdom of their scheme. Or 3. As appeared to him (Sir Francis Goldsmid) most probable, success would be pretty equally divided between the two classes, and an honourable emulation would be kept up which would have a most wholesome effect on the professors and students of the College. The Under Secretary of State had spoken of the value of *esprit de corps*. He (Sir Francis Goldsmid) thought that its value depended on the meaning you attached to the phrase. If by *esprit de corps* you meant pride founded on the consciousness of real superiority of the body to which you belonged, it might be beneficial. But if you meant a vain belief in fancied superiority, it was worse than useless, and might be more fitly designated *esprit de clique*. Which kind of feeling should prevail at the Cooper's Hill College appeared to him to depend on its students being, or not being, protected by a monopoly. If he might be permitted to use two old rhymes to express the feeling which seemed to him likely to be engendered in the Collegians by such injurious protection, he would say—

> "No man can Roman lore acquire, or Attic,
> Or science physical, or mathematic;
> Or Indian tongues, or engineering skill,
> Save in the magic bow'rs of Cooper's Hill."

Let the Government guard their new institution against the growth of such enfeebling fancies, and subject it to invigorating rivalry with other institutions, in examinations conducted by independent examiners. If he (Sir Francis Goldsmid) had rightly apprehended some private communications, his hon. Friend the Under Secretary of State thought that this was already authorized by the 18th paragraph of the prospectus. Supposing, however, that to be the meaning, it was very obscurely expressed; and he (Sir Francis Goldsmid) trusted that, by consenting to issue supplemental regulations making that meaning clear, the Government would render it unnecessary to press his Motion to a Division. The hon. Baronet concluded by moving his Resolution.

MR DICKINSON, in seconding the Motion, observed, that the question before them had a double aspect—one more immediately affecting England, and another more immediately affecting India. He could not see why the Government of India, which had a large Civil Service formerly, but not now, educated in a College of its own, should be now establishing a College to educate its civil engineers. He asked upon what principle were those enormous outlays and great changes to be made? This was the creation of a service of 1,000 engineers, many with high salaries. Why was all this to be done without any communications to the British Parliament or to the people of India? It was all done by the India Office at home, and they heard nothing whatever about it until the whole thing was completed. He was told on inquiry that it cost £90,000; but looking into the Indian Finance Accounts he could not find any such sum. He was further told that it was a speculation of the East India Council. He objected to the Government undertaking educational institutions without consulting Parliament. He concurred in the proposal made by his hon. Friend the Member for Portsmouth (Sir James Elphinstone) the other day, that those important documents which from time to time were furnished by the Government of India should be presented to the Libraries of both Houses of Parliament for the inspection of Members interested in Indian affairs. It was proposed to distribute through the country 1,000 civil engineers, the cost of whom entailed upon the country a burden of nearly £1,000,000 a-year? To obviate the expense attending the education of engineers this College was established; but there was no provision to encourage the Natives of India to enter this particular branch of the service. It had, in fact, been made entirely an English question and no other, and the result would be that all the public works in India would be exclusively executed by the English Government and English agents. No doubt there was in India an objection to have public works carried out by men unconnected with the Government; but were they to lay down the rule that in future it should only be done by one class of Englishmen and those connected with the Government? It was a case that called for the serious consideration of the Government, and one not to be settled by the mere *ipse dixit* of the Secretary of State for India in Council.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, young men qualified by character and attainments for admission into the service of the Government of India as Civil Engineers, ought not to be excluded from such service by reason of their not having been educated at a Government College,"—(*Sir Francis Goldsmid,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. GRANT DUFF: Sir, I am glad that my hon. Friend (Sir Francis Goldsmid) has given me an opportunity of telling the House our story with regard the Civil Engineering College; for, so far from believing that we deserve the smallest blame in the matter, I think we have done a thing absolutely necessary for India, and very advantageous to England. The state of the case is this—We have, as everyone knows, an immense number of public works to do in India. In the Actual Accounts of last year the sum paid, under the two heads of Public Works Ordinary and Public Works Extraordinary, amounted to close on £8,000,000. All these public woks are carried into effect, and superintended by what is known as the Public Works Department. That department is a creation of quite modern times; for, as long as we were conquering our Indian estate, we had no time, and very little money, to improve it. The year 1842 may be taken as the commencement of the endeavour systematically to improve our Indian estate. Well, when we began to improve it, we used at first the instruments which were ready to our hand—our own officers, engineers, and others; and, up to the year 1854, public works were managed in the military department. In that year they were put upon a new footing, and civil engineers, who had, since 1845, been filtering into our service, were for the first time introduced in some numbers, selected on the nomination of leading civil engineers at home. Many and various inconveniences having, however, arisen from getting men out from England who were already of mature years, it was resolved, in 1859, to recruit the service from the bottom, by admitting young men into it by open competitive examination. These young men having been caught by open competitive examination, were then sent out to a College in India and further trained there. This plan was tried for a year or two, but it did not succeed; partly, because these young men caught by open competitive examination were not sufficiently advanced to be able to profit by the instruction which they got at this Indian College; partly, because there was a difficulty in getting a sufficient number of tutors for this Indian College at any moderate expense; and partly, because the Government in India had so much urgent work to do that it preferred to have half-trained engineers rather than no engineers at all, and so took the students and put them to active work while still only partially qualified.

When the original plan of training these young men at a College in India was found too difficult to carry out, the wise thing would, undoubtedly, have been for the Indian authorities immediately to have started in this country the sort of College that they wanted; a College which could, of course, be maintained here much cheaper than in India, because skilled European labour is at least three times as costly in the tropics as it is in Surrey. Unhappily, they did not determine upon taking that wise step. They shared the views which are held by my hon. Friend. They believed that they would get the article they wanted merely by going into the market, stating their conditions, and offering good pay. They did so; and, after some 10 years' experience, it became only too clear that their belief was ill-founded, and that the plan had turned out a hopeless failure. A hopeless failure it, indeed, has been. In 1868 the Indian authorities offered 40 appointments to competitive examination. And how many competed? Fifty-nine. Well, of course, 40 of these passed a brilliant examination and got appointments. Not a bit of it. Only 22 passed the minimum qualifying test; and these were appointed. Again, the same year, the Indian authorities offered 40 more appointments, and the result was that 43 competitors appeared, and 20 of them succeeded in passing the minimum qualifying test. In 1869 things were little better; and in 1870, out of 70 competitors for 40 appointments, only 13 passed the minimum qualifying test. Meantime the Government had entered upon a new policy. They had determined very much to enlarge their Public Works Department, and to increase very much the number and importance of their public works. What were they to do for men to manage them? Their original plan of open competition in England, and College training in India, had not succeeded. Their plan, or no plan, of open competition in England, and happy-go-lucky training in India, had hopelessly failed; and, what was more, the experience of 11 years had taught them that our scientific training in England, like so much of the rest of our training, was in a chaotic, and, indeed, contemptible state. They had learned that an engineer is trained in England as a barrister is trained, by what some people are pleased to call "the practical system"—that is, by rule of thumb; a system under which, no doubt, some great engineers have been produced, just as some great lawyers have been produced; but a system the most absurd and wasteful which it ever entered into the human mind to conceive, and just about the time that a movement, headed by the right hon. and learned Gentleman the Member for Richmond (Sir Roundell Palmer), but the way for which had been prepared by a great many other people, for giving a systematic training to our lawyers and creating a legal University, began to show that it was growing strong and was going to win, the Indian authorities came to the conclusion that they, too, must move with the times—must recognize ttha, although in civil engineering, as in everything else, extraordinary talent will force its way to the front, however ridiculous are your systems of education, yet that, if you want to utilize ordinary talent—that much commoner article—you must provide for it systematic training. So they set to work and devised this College, availing themselves of all the best educational advice and experience which they could get hold of. I need not say that the result was that I know not how many institutions throughout the country which had been contributing one man or two men—or, in some cases, only the fraction of a man—per annum to the list of successful candidates for our Public Works Department, immediately took alarm. They cared nonothing—why should they?—for Indian exigencies. They were not responsible, but we were; and we determined to go on our own way, quietly answering as they arose the accusations which the craftsmen of Ephesus brought against us.

First, we were told that we were injuring the great and sacred cause of competitive examination—that best of expedients for the distribution of patronage in this bad world; which, however, threatens ere long to become a British fetish. We replied that we never dreamt of anything of the kind; that the examination for entering our College was to be absolutely open and purely competitive. Then we were told that we were narrowing the field of selection. We replied by showing that we were immensely widening it by sweeping away a number of restrictions with which, while the previous plan, or no plan, existed, we had been obliged to fence round our examinations. Then we were told that it was hard that the amount of time spent in special engineering studies at other institutions should be lost to the successful candidates at the examinations. The Government replied that such was not their intention; that all the special training at other institutions would be allowed its full value in curtailing the time to be passed at the new institution. They pointed to the following clause in the prospectus:—

> "Although students will ordinarily be required to go through a three years' course, that condition may be dispensed with in the case of those who, on admission, shall satisfy the College authorities that they possess already a competent knowledge of the subjects taught at the College. Such students will be permitted to enter at once on the second year's course of instruction, and to qualify for the public service in two instead of three years. Similarly, the third year's course of practical engineering may be dispensed with in the case of those who can show that they have already gone through an equivalent course. Students consequently who may be found entitled to both of these dispensations will become eligible for appointment to the public service after a single year's residence at the College, and this period may be still further reduced in special cases to a time sufficient to enable the student to go through the various exercises which form a part of the College final examination."

Under this clause hon. Members will observe that any youth, trained at any institution, who gives proof, by passing these examinations—first, of having received a sufficiently good general education to render him a proper person to be admitted into a great and responsible public service; who gives proof, secondly, of a sufficient knowledge of the special subject of engineering for Indian purposes, may go out to India after remaining only just so long at the College as to pass our final examination in engineering. I say just so long, for we have come to the determination not to admit anyone into our Public Works Department who does not pass an examination of sufficient length to enable us to test him as well with regard to his power of doing things as with regard to his mere knowledge. In short, we have determined to adopt the method of examination in engineering which is followed in Germany, instead of the perfunctory examination which we have hitherto had. It will be seen, then, that students coming from outside will be really in the same position asour own students; so that I think I may say that never did a Government do a more liberal thing, than just when it has started with infinite trouble a College of its own, to enable students coming from other Colleges to compete against it, provided they show that they have had sufficient general education to make them desirable public servants. But so important is it for us in India to get good engineers, and to get them quickly, that we are quite willing—and, indeed, anxious—to open this door into the service. Then we were told that wewere asking too much money —that the Engineering College would be merely a College for the rich. We replied that we asked £150 a-year for three years, in return for which we gave to those young men who passed through the College £420 in their very first year of service; whereas a youth who wished to become an engineer in this country had to pay a premium of from £300 to £500 a-year to the engineer with whom he served his apprenticeship, to say nothing of the fees which he had to pay at any of the existing institutions where there were engineering classes. And when all is done, instead of getting £420 his very first year, a good position, and admirable prospects, in five cases out of six he gets for some time nothing at all to do, and ends very often by being simply an idler in the market-place waiting for some one to hire him. To quote the words of a man most bitterly opposed to our Engineering College—

> "An apprenticeship to an engineer has hitherto been pretty nearly synonymous with three things —firstly, the payment of a premium, which varies from £200 to £500, or even more, according to the position of the gentleman who condescends to accept the position of tutor in the case; secondly, a period of from three to five years, spent, even under the most favourable circumstances, in work which is mainly of a mechanical character, and in not a few cases, in almost utter idleness; thirdly, as must follow from the two preceding premises, an almost complete ignoring of anything like systematic instruction on the part of the presumptive tutor, especially in those branches of scientific knowledge, such as mathematics and physics, on which the science of engineering itself rests, and which occupy a leading position in the Public Works examination. Of course, there are exceptional cases, to which these observations do not apply—cases in which the master really teaches, and the apprentice really learns something more than it is for the master's interest that he should learn—namely, the routine duties of the office, or factory, in which he happens to be placed. I am describing what is the rule, and what everybody who knows anything about engineering apprenticeship will admit to be so. It is not in the nature of things that a professional man, engaged in active practice, can find time for the kind of tuition which most lads of from 16 to 19 require, even if he be honestly desirous and capable of doing so, and it is simply absurd to expect it."

Then we were told that we were adopting a retrograde policy, and founding a new Haileybury. We might have replied, if it had been legitimate for the Secretary of State in Council to quote

Fuller, that Haileybury was like God's ravens in the wilderness—not so black as it had been painted; but we did reply, that most of the defects of Haileybury, such as they were, and they were many, were of a kind which could not possibly exist in a College based not on pure nomination, but on pure competition, and in many other ways entirely different from Haileybury. Then we were told that we ought to follow the example which we ourselves have set in our Civil, our Forest, and our Telegraph Services. As to our Civil Service, we replied it is much easier to get adequate instruction in the branches which a civil probationer has to study than it is to get instruction of the kind which we mean to give to our engineering probationers. And, further, we never said that the system by which we train our young civilians at present is by any means a miracle of human wisdom. As to our Forest Service, we replied if we had institutions ready to our hand in this country or elsewhere, which could be made as useful for our Engineering Service as the Forest schools of Hanover and Nancy are for our Forest Service, we should certainly not have established an Engineering College at Cooper's Hill. As to our Telegraph Service, we replied, its importance is not for a moment to be compared with that of the Engineering Service, and even as it is we are by no means entirely satisfied with the results which we have obtained by the method at present in use. Then we were told that before establishing the College we ought to have tried the effect of raising the pay for the first year. We replied that we feel satisfied that we cannot get the article we want for twice £420 a-year; that it does not exist, and that there are no sufficient means at present forcalling it into existence. We, nevertheless, did raise the pay to £420, thinking that sum would not be too much for the new kind of men we mean to turn out. A section of the Royal Engineers contend that the Public Works Department ought to be officered entirely from that body; but that course, although the Government does employ a great many of the Royal Engineers, and will continue to do so, is obviously out of the question. It is said, too, that we are excluding the Natives from competing. So far from this being the case, young Englishmen are obliged to pay for being educated for the Public Works Department, while young Natives of India are actually paid for allowing themselves to be educated for that service, and the Scholarships available for that purpose are not taken up. "But even admitting," it is said, "that the College may justify all the expectations of its promoters, and maintain an unquestionable superiority over all similar institutions, its establishment will deal a blow to engineering education in this country from which it will take years to recover." Such an argument as this, we said, is really too bad. Is the Government of 150,000,000 of very backward people in Asia not to do what it thinks essential for their welfare, because 30,000,000 of comparatively far advanced people in Europe cannot come to some understanding as to how they shall order their educational institutions? And yet this argument, preposterous as it is, has caught some persons whom it should not have caught. I would not be very much surprised if we heard something like it to-night. We may be told that we ought to have waited till the Royal Commission, which is now investigating the scientific institutions of the country, has made its Report; but we could not wait; while you were deliberating, we were suffering. If anyone is to blame in the matter it is we, who have a right to blame the *savants* and educationalists of England. Is it not too monstrous that we, the representatives of a nation of Asiatics which has been wandering for so many thousand years in the mazes of science, falsely so called, should be unable to find at either of your great Universities, rich though they are beyond the dreams of avarice, any institution where we could get training for the persons whom we wish to employ on our public works? Do you suppose that if India had belonged to Germany, had belonged to France, had belonged even to Switzerland, it would have been necessary for its representatives to have set up an Engineering College of their own? But here, in this enlightened country, the inheritors of Archimedes have just got the length of persuading the Government to find out whether all was, indeed, for the best with regard to the scientific teaching of this best of all possible Englands.

Try our new institution by any standard which you please, have you anything to object to it? Take the open competitive examination by which it is entered. Have either of your two contending parties—the men who believe that science, and the men who believe that language is the best training for boys—anything whatever to complain of? Will not any boy who feels in himself an aptitude for engineering be sure to succeed, if he has had a good education in any of the usual subjects taught in your public or other good schools? Then, when the College is entered, is there any of our arrangements which is open to fair criticism? I can only say that if any scientific man of name and fame does criticize them, we will give the most careful attention to his suggestions, but we believe that we have followed the best models and the newest lights. We certainly have done our best to do so. Then, as to the passing from our College into our public service, have we not by discarding the old fashioned kind of examination, and adopting instead a continuous trial—a trial examination in the course of which a youth will not merely be obliged to write down answers on paper, but to show that he is an efficient surveyor, and that he can make plans with the usual aids which he would have if he were working as an engineer on his own account—made it absolutely certain that we shall have no hard bargains; that every man who enters the public service will be fit for it? Here, in England, if a young man after spending more money than we ask upon his engineering education, turns out inefficient, he is simply not employed; but once in the Indian public service, there he is and must be paid, even if he cannot be utilized. The rough-and-tumble of the battle of life has been in itself an examination for your engineers at home, but even here what millions upon millions would have been saved, if only your engineers had been properly trained. In the new number of *Macmillan's Magazine* there is a short paper on engineering education, which excellently sets forth the views that are now entertained by the best engineers upon this subject. Mr. Scott Russell, Professor Pole, Professor Fleeming Jenkin, and others, have exactly the same things to tell you about your engineering education, that Professor Bryce, and Mr. Maine, and many more have to tell you about your legal education.

To sum up then—what we claim is, by the establishment of this Engineering College, to have done, first an imperative duty to India in getting for her the trained engineering ability which she wanted; secondly, to have done many works of supererogation for England, of which the chief are these following:—We have created a new profession on a level with the two great Indian services—the civil and the military. We have not restricted, but widened, the area of competitive examination, by admitting the public schools to compete, which were hitherto, like all the other great schools, discouraged from competing by the necessarily technical character of the examinations. We have offered a first-rate education cheaper than a third-rate education can now be got. We have done service even to those institutions which growl most at us, because such an institution, for example, as University College, will gain much more in its other branches than it will lose in its engineering branch. We have done service to practical men, because, if they can prove while of the proper age, by passing our continuous trial examination and the previous examination that they can be really useful, to India they will go, after merely a few weeks' residence at our College. Lastly, we have done good service to English scientific education by acting, while its other well-wishers have been talking and inquiring. When they have succeeded in creating a scientific institution as creditable to England as the Polytechnic School of Zürich is to Switzerland, then it may well be that our institution may merge in theirs, but before that happy time arrives our Cooper's Hill engineers will have made some thousand miles of railways and canals, have stimulated commerce through wide provinces, and have turned many deserts into fertile fields.

MR. FAWCETT said, he thought this discussion must convince the House that the Committee appointed to inquire into Indian Finance had not been appointed one hour too soon. Here was a new scheme introduced involving considerable expense; but hon. Members did not know how much it would cost, as the Under Secretary of State for India had not condescended to supply any information on that point. Parliament had not been consulted, and if such a system were to be continued, what, he asked, was the use of the House going through the farce of discussing Indian affairs? He hoped his hon. Friend the Member for Reading (Sir Francis Goldsmid) would take the sense of the House on this question, if only by way of protest against the system of spending the money of the people of India in England without consulting Parliament, which, in respect to financial matters, was, to a certain extent, regarded by the people of India as their trustee. Of course, as the hon. Gentleman (Mr. Grant Duff) had remarked, the system of open competition had proved a failure, and no wonder, considering that the Government expected that English youths of great attainments would, after incurring great expense in their education, joyfully accept appointments worth £240 a-year. The hon. Gentleman had remarked that there was a danger lest open competition should become a fetish with the British people; but he would warn the hon. Member against another fetish—the fetish of officialism. Anyone who had listened to the speech of the Under Secretary, would imagine that this Engineering College was an established success, and that the railways and canals had been constructed with greater economy than they had ever been constructed before. But it was necessary to wait before such brilliant anticipations could be realized, and to see whether the Government can do these things better than could be done by private institutions. The Under Secretary had spoken as if it was impossible to obtain a supply of duly qualified engineers. But the whole question turned on this—had they tried to obtain them in the open market? No one acquainted with practical engineering would say that the Government had made a fair trial when they only offered a salary of £240 a-year. The Under Secretary was mistaken as to the necessary expense of obtaining an engineering education. Premiums of £500 or £1,000 a-year were not paid for education, but for going into the chambers of an eminent engineer for the sake of the ulterior connection that might be secured. A good scientific and engineering education could be obtained in Edinburgh, Dublin, Manchester, or London for £50 a-year. No doubt the College would offer to young men who could afford to pay £150 a-year, or say £250 including incidental expenses, great advantages over those who were training themselves at Owen's College, Manchester; Trinity College, Dublin; University College, London, or at Edinburgh; for the Government would have the examinations in their own hands; and this was the reason why the managers of the educational institutions of the country were unanimously opposed to the establishment of this College. There was no analogy whatever between the Military College at Woolwich and an Engineering College, because the Queen was the only employer of skilled military labour, while the business of the whole world demanded the services of engineers. There was no reason why it should not be left to the educational enterprize of the country to supply any amount of engineering talent which India could require. Of course, the examination ought to be severe; but, besides science and mathematics, practical knowledge was required, and that could be obtained better in the towns than in a remote country district in the valley of the Thames. Let the Government decide upon the most severe testing examination they pleased, and if they offered as a reward for the possession of engineering knowledge a fair and reasonable price in the open market, he had no hesitation in saying that the educational authorities throughout the country would quickly adapt themselves to those examinations, and before the lapse of two years there would be no lack of engineering talent whatever. He had been informed that when the Natives of India had got an engineering education they had found it uncommonly difficult to get engineering employment, and that at this time many young men who had been educated in Native Engineering Colleges were reduced almost to manual employment because the Government seemed to have not a dearth but a surplus of engineering talent. He deeply regretted that this College had been established in the way it had been, for Parliament might have been consulted first. When he found that the scheme was progressing, he wrote to the Under Secretary of State for India, asking him whether he did not think it would be well to delay it for a few months until Parliament had been consulted; but the hon. Gentleman seemed to think there was no time for delay, because land was bought and professors were engaged.

All this involved a heavy cost; yet Parliament had never been consulted, and the scheme might fail, because other institutions might produce better men. If it failed Parliament would have to bear the blame, and the people of India would look to Parliament for redress. He trusted the independent Members of the House would unite in bringing to a close a policy which threw upon the House a grave responsibility without adequate opportunity for its discharge.

Sir DOMINIC CORRIGAN, on behalf of the authorities and students of the Queen's University in Ireland, said, that they looked upon the establishment of this College as putting an end to open competition. A worse species of nomination than that of patronage was nomination by money. Open competition had not failed, because it had not been fairly tried by the offer of adequate remuneration for engineering services. He believed the result of this discussion would do good, because he felt satisfied that everyone was only stimulated by the single thought of doing what was best for the country. When a few years ago the payment in the medical departments of the Army and Navy was so low, and the position of the medical officers so humiliating, that sufficient young men could not be found to enter into those branches of the service, the evil was cured not by establishing a College for the education of these young men, but by increasing their scale of payment and elevating their position. The Under Secretary for India said it was not the amount of salary which prevented candidates from coming forward, and that even if £800 a-year were offered fitting men could not be got. But had such an offer ever been tried? The hon. Gentleman also said that there was no University or College in the kingdom capable of educating an engineer. But if that were so, where were those engineers educated who had been an honour to this country and to the world? Surely the manufactory which had produced them was also open to the Indian market. It was said that Cooper's Hill College would establish no monopoly, for a young man would not be obliged to spend four years there; but if he satisfied the College authorities one year, or even six months, would be sufficient. They all knew what was meant by satisfying the College authorities. What did University College do? It found it necessary, in order to establish an impartial tribunal, to pass a law that no person holding office in the College should be an examiner. Although the examinations were perfectly fair, the new College would, in its very nature, be a monopoly. It would be impossible for pupils from other establishments to get fair play without spending two or three years there at an expense of £150 per annum, while very few of their parents could afford to give that sum. He would not go so far as the Mover in saying that the College should be altogether dispensed with. He was prepared to suggest a compromise. He knew a good deal of competitive examinations. The practical science competitive examination did not test all the requisite qualities of candidates. The knowledge of medicine and engineering might be tested; but in the Army medical service young men who had passed their examination, having shown a knowledge of the theory and principles of their profession, were not at once put in charge of Her Majesty's soldiers or sailors—it was necessary to test their steadiness, quickness of eye, and social and moral qualities, which could not be determined by competitive examinations. Having passed their competitive examinations, the young men were sent to Netley, where they got pay—at all events, they were supported without expense—for a term of 6 or 12 months. Their other qualities were tested in that way. If found not qualified they had to seek their fortunes elsewhere. Let young men come from what College they might, they never asked where the horse got his oats if he won the race. The only question was, had the young men the requisite knowledge and other good qualities? Do not let them establish a College which was sure to become a monopoly, and where none would be educated but those who could afford to spend a large annual sum.

Dr. LYON PLAYFAIR sympathized with those who desired to see this College not enter into unfair competition with the existing educational institutions of the kingdom, and had, like his hon. Friend the Member for Brighton (Mr. Fawcett), put himself in communication with the Secretary of State for India, as representing two Universities, one of which had a large engineering department, and as member of Council of the British Association for the Advancement of Science. The views submitted were met with the greatest attention and consideration, and the evils feared for the scientific institutions of the country were obviated by the regulations which the Government had adopted. In other countries—in Switzerland, Germany, and France, there was a united technical and scientific education of engineers; whereas in this country technical and scientific education were dissociated. That was the root of the whole difficulty the Indian Government had to contend with. They wanted practical men in order immediately to carry out the works of the Indian Government; and the only way of obtaining them was to go to the engineers of the country, who undertook to educate the rising young men of the profession. A fee of from £300 to £500 was required with each pupil, who had the run of the drawing and machine shops, but learnt nothing of the science of engineering except what he could pick up. Apt pupils were generally retained, through a process of natural selection, by the engineers themselves; and it was only the incapables, who were practically rejected by the engineers, that the Indian Government could depend upon. These were found quite unequal to pass the low scientific examination to which they were subjected, and hence the system had broken down from a want of supply of qualified candidates. The College system which existed at the University of Edinburgh, Glasgow, Trinity College, Dublin, Durham, and the Queen's Colleges was a purely theoretic system, which was dissociated from practice. That was not fit for the Indian Government. Only 12 men could be got to answer the combined practical and scientific examination, though purposely kept at a low standard. The hon. Member for Brighton said that was a question of money. He denied it. Whenever men were appointed by that examination they obtained a salary of close upon £300 a-year, and were appointed to the third grade of assistant engineers on probation; but as soon as they had proved themselves capable they were promoted, and there was no difficulty in getting men for the medical service or the Army on such terms. Under the circumstances of the case, there had been three courses open to the Government. The first course was to reject practical experience altogether, and to trust that theoretical knowledge would bud into practical experience; and the second was to reject theoretical training, and rely on the practical experience of the men derived from an apprenticeship. In a practical profession like engineering the first course would commend itself to no one, while the second was not adapted to a country like India, where engineers were isolated and depended upon themselves. In this country a man with practical aptitude, but deficient in scientific knowledge, could refer to a distinct class of mathematical engineers who made the necessary calculations for him. That separation of practice from science would not do for India. As neither of these two courses would do, the third course open was to wait till the educational institutions of the country and the practical engineers reconciled their differences, and organized a training of young engineers by a combination of scientific and theoretical knowledge with practical experience; but that would be to wait indefinitely, and to leave the opening up of the industrial resources of India to the slow process of educational reform. The Government had done practically what the hon. Member for Dublin (Sir Dominic Corrigan) recommended. They first tested the ability of the persons who came to the College, and if they possessed the scientific knowledge that was required their time was shortened largely; and if in addition to scientific they possessed practical knowledge, their time was shortened still more largely, or they were sent out at once to commence their duties. If the Government had had time to wait until an institution arose like the Polytechnic Institution at Zurich or the Ecole Centrale at Paris, they would have obtained all they wanted in the shape of practice and science combined. But they could not wait for that; and, therefore, they had joined science to practice in a way which was not a substitution for existing institutions, but a mere supplementary and accessory means of promoting them; and as the representative of the only University that gave engineering degrees he thanked the Government for the care they had taken in giving credit to the work which other institutions were doing in promoting engineering education, instead of monopolizing it all for their new

College. The chief argument against the College was the annual charge of £150 a year for pupils. This would practically exclude poor young men of merit. But this evil might be obviated by establishing a certain number of free scholarships for the best pupils. Such a provision, however, did not yet exist.

Mr. WINTERBOTHAM warned the House that if it was not careful the Scotchmen would be too much for it. The Secretary of State and the Under Secretary having got them into a mess, the hon. Member for the Edinburgh and St. Andrews Universities (Dr. Lyon Playfair) patriotically came forward to defend them. The question lay in a nutshell. The Government of India wanted trained engineers; they said they could not get them, and that that College would produce them. But what means had that College of producing trained engineers which other institutions did not possess? Certainly the Government had boundless pecuniary resources. £90,000 was to be spent on the building, with a large annual sum for the Staff to begin with. But no new method of instruction was proposed. The teaching, it was said, must be theoretical and practical, and no doubt the range of study contemplated embraced an ample field. But other institutions now existing in this country already taught all those very subjects, and if such a handsome market for the young men who had learnt them would be open in India, there could be no doubt that those existing institutions would rapidly provide the necessary training. There were no peculiar facilities possessed by the Government for teaching mathematics, pure and applied, and other subjects required they could be taught equally as well in very good institutions in different parts of the country. The College would only provide what they wanted at an additional cost, and who, either in India or in England, he would ask, would be the better for its establishment? The whole purpose of the Government College was to give a three years' course at £150 a-year to the students; and although it was said that students trained elsewhere might enter the College for a nominal period at the close, yet it was not to be supposed that students who went there for the three years would not be allowed a preference over those who went for six or for three months. As the Government would decide who were the students to be admitted to the College, it was only to be expected that they would favour those who accepted their whole system and entered for the full term. He protested against that project not only as a gross injustice towards the educational institutions of the country, but as a slur on English education in that particular line in which it had been most successful; for if England had not produced engineers, he did not know what kind of genius she had produced.

Mr. GORDON assured the hon. Member who had just sat down that his apprehensions were not well founded. Scotchmen were not unanimous on the subject of the College. For himself, he entertained a strong feeling against it, and he found himself in this position—that, sitting on the Conservative side of the House, he had to oppose a monopoly promoted by a Scotch Liberal Member, and supported by Scotch Liberal Members. Hitherto the Government had not given fair play to the young engineers who were to be sent out to India; and let them now see whether the holding out of more adequate inducements would not secure a more luxuriant crop of better educated engineers for service in that country. He was at a loss to know why the Government desired to resort to this new system, which would have the practical effect of handicapping all the educational institutions in this kingdom, and the one educational institution in India, to which reference had been made in the course of the debate. Further, it would be an interference with the Universities which the Government themselves supported. The Chairs of Engineering in the Glasgow and Edinburgh Universities were founded by the Government; but if the scheme they now proposed to introduce were adopted it would at once put an end to the supply of young men educated there for the engineering services in India, and concentrate them into the institution which the Government proposed to establish. The hon. Gentleman the Under Secretary for India adopted the view which had been taken by the Mover of the Resolution, and regarded India rather as a great estate belonging to this country than as a country which ought to be governed for the benefit of the Native population. India being regarded simply as a vast estate, it was, of course, necessary, following up the same simile, to have preserves, and the Government theory evidently was that it would be well to create a preserve for the rearing of civil engineers; but he had no doubt that the scheme which had been shadowed forth by the Under Secretary for India would fail, and that utterly. He was not arguing solely with reference to the interests of the Universities, because he understood from his hon. Friend the Member for the Edinburgh and St. Andrews Universities (Dr. Lyon Playfair) that some favour was intended to be shown to those students who had passed an University course; but, so far as he understood, the advantage was only intended to apply to those students who had been a full year in the University.

MR. GRANT DUFF said, it was only intended that the students should have been in the University a sufficient time to enable them to pass the examination.

MR. GORDON: Let that be as it might, he ventured to say that the proposal of the Government would, if carried, establish a monopoly opposed not only to the interests of the Universities, but also to the interests of those private schools which had up to the present time afforded a good and sufficient education to those students who were anxious to enter into that particular branch of service under the Indian Government which was then the subject of debate.

SIR JOHN LUBBOCK said, that while he entirely concurred with what had fallen from the right hon. and learned Member who had just sat down, he (Sir John Lubbock) thought that the discussion had drifted away from the terms of the Motion, which referred not to the establishment of the College, but to the limitation of Indian engineering appointments to the students of that College. He felt bound to say that in the entrance examination for the College, justice had for the first time been done to physical and natural science; and he regretted the more, therefore, that he was unable to support the Government in the matter. If, however, the competitive examination were equally open to students and others, he thought it would very much meet the difficulties of the case. In the interest of general education, and of India itself, he thought it would be wise to accept the proposal of the hon. Baronet the Member for Reading (Sir Francis Goldsmid).

COLONEL SYKES remarked that one point of view of this subject had been entirely overlooked in the course of the debate, and that was that by the present scheme the Natives of India would be entirely excluded from profitable employment as engineers in that country—a result that would lead to considerable dissatisfaction among the people. The people of India were not very well content with the existing state of things, and the scheme would increase their grievances. India had produced engineers capable of constructing the most magnificent works in the world, long before we had ever had anything to do with the country, and it would be very unfair for us to turn round upon the Native engineers and exclude them from employment. The marvellous Taj, at Agra, had been constructed by Native engineers and architects; the dome of Mahomet Shah's tomb at Bejapoor—larger than that of St. Paul's—was supported upon a principle unknown to British architects, which was admitted by the Architectural Society of London, from the inspection of plans and sections which he (Colonel Sykes) had obtained for the society; the celebrated Jumna Canal was designed and completed by a Native engineer; and the gigantic irrigation remains all over India testified that the principles of hydraulics were known and applied in India. In our own times there was the Roorkee College for the express purpose of instructing civil engineers, and all the Universities in India had an engineering class. There should not, therefore, be any difficulty in obtaining competent persons; and if a higher class of engineers were desired, with personal experience of engineering works in Europe, the Government would not have any difficulty in obtaining them, by making it worth their while to give up their prospects in Europe.

MR. MILLER said, he had listened to the discussion with very considerable interest, because it appertained to the profession in which he had been engaged for very many years, and if the hon. Member who brought the question before the House (Sir Francis Goldsmid) persisted in going to a Division, he should certainly vote with him. He thought the Government proposal would act unfairly to the other educational institutions of the country, and would further fail to effect the object which the Under Secretary of State for India anticipated from it. As the result of much experience, he was able to express a confident opinion that to send a young and half-educated man—half-educated he meant solely in reference to his particular profession—would have the effect of reducing the engineering staff under the control of the Indian Government to a state of utter inefficiency. In fact, they might just as well send none at all. The salary paid was a very small matter when compared with the necessity for obtaining the services of thoroughly well-educated candidates for the engineering service; he meant educated in the practice as well as in the theory of engineering: and if the Indian Board supposed for a single moment that they could obtain such men for the amount they proposed to pay, they were utterly mistaken. He ventured to inform the hon. Member for Edinburgh and St. Andrews Universities (Dr. Lyon Playfair), that apprentices to engineering are not confined to the run of the plans and specifications prepared in the office—during the first two years they may be so, as during that period their services in practice are not of much value—but afterwards they are engaged in surveys, and designing works, and somewhat generally in superintending works—thereby acquiring a practical knowledge of their profession; therefore to send men out to India learned in theory only, according to the plan of the Secretary for India, would be to transplant from this country men ignorant in practice, and who would have to spend there, as they had to do here, a considerable period in acquiring that practical knowledge essential to their profession, and where the facilities for doing so were less than in this country, and the expense much greater.

The CHANCELLOR OF THE EXCHEQUER said, that as the Government of India was spending £8,000,000 a-year in public works, he presumed it would be admitted that the disbursement of the money should be carefully looked after, in order that it might effect the largest possible amount of good. The Government of India relied upon three bodies of men for this purpose—first, upon the Royal Engineers, who were out in the country with their corps; secondly, upon the Native engineers, who were educated gratuitously in the College of Roorkee, which had been described as a failure; and, thirdly, upon civil engineers who went out to India from England. The hon. and gallant Member for Aberdeen (Colonel Sykes) mistook the hon. Gentleman the Under Secretary for India when he interpreted that hon. Gentleman's words as conveying that the Native College had proved a failure. All that the hon. Gentleman said was that the system of education of English engineers in that College had not proved successful. And this was quite reasonable, because young Englishmen were placed at a very great disadvantage when learning their profession in a country so different from their own in every respect as India was from England, and it was incurring a needless expense to take competent gentlemen out from England to teach them that which they could obtain better at home. The failure of the system which had been adopted by the Government of India in order to provide itself with civil engineers might have been predicted long ago by impartial witnesses, because it was based upon examining candidates upon highly technical matters in an open competition. In this country, where engineering was in its infancy, or nearly so, if he might so express himself without offence, no one could be surprised that persons were not forthcoming for the engineering service of India, without reference to the money they were to receive. As for the money, he thought a little too much had been made of that. It was supposed that competent men would not compete for positions worth £240 a-year; but he could tell hon. Members that at the English Universities a man thought himself made for life if he could obtain a Fellowship of a like amount; and, he would add further, that to secure the £240 a-year candidates had only to pass an easy examination, with the prospect of speedily rising to a salary of £360, and then in a short time to £440 per annum. Hon. Gentlemen who objected to what was proposed on the part of the Government had nothing better to suggest than that the old system should be continued—a system based upon competition, but under which the majority of the appointments were the result of simple nomination. If they were not to revert to the old system—and he thought no hon. Gentleman who calmly considered the question would advocate such a course—what was to be done? He thought the best course would be to adopt the plan that had answered so well in connection with the appointments to the Indian Civil Service. For appointments in that service three things were required—good natural ability, a good liberal education, and the technical education and knowledge of those branches necessary and useful to the Civil Service of India. They had not instituted a competition in the Hindostanee and Telegu languages, and technical matters of that kind, because it was thought that what was gained in these special technical matters was lost in the general ability of the men. Thus was ensured the greatest possible amount of ability that could be got; and, having got it, the men underwent a period of probation, during which they acquired the other things that fitted them for beginning their work in India. And that system had not been altered. The same principle ought to be adopted in the present instance as in the case of the Civil Service—that is, they should adopt the principle of competition so far as applicable, and not ruin it by requiring an examination in technical matters, which would only drive candidates away. And that was what Government proposed to do. It required an examination somewhat similar to that instituted in the Civil Service; by the examination, persons were admitted into the College, and then, after their admission, the technical education began which was necessary for forming an engineer. He would not enter into the question whether other interests had a right to be heard in a question of this kind, and whether the Government of India should be prevented from doing what they considered expedient for the sake of English institutions. It was the intention of the Government that no person should be admitted into this College, and from this College into the Indian engineering service, except by competition, and that no one should get a footing in the College at all unless he was a successful competitor for a vacancy. The Government intended that when the number of successful competitors had been ascertained there should be an examination into the amount of knowledge that the successful competitors possessed, and according to their knowledge they would be put through a course of three years, or two years, or one year, or merely retained in the College to enable the authorities to test their fitness to go out. They did not propose, as had been rather invidiously suggested, to put fees into the hands of the College authorities. If the Universities of Oxford and Cambridge now examined their own men, he thought the House might assume that the College authorities would not reject any man at once in order to screw some money out of him in the way of fees for teaching him that which he knew already. It had been suggested that this examination should be placed in perfectly independent hands, so that no suspicion should exist that persons would be forced into this institution merely for the purpose of extracting money from them for teaching them what they knew already; so that if any of those institutions which had been so much recommended sent up a young man to pass the examination, in proportion to the success which he passed the examination, one, two, or the whole three years' course would be dispensed with in his case, and he would be admitted at once to the privileges of the College, just the same as if he had gone through the whole course of three years. That, he trusted, would be satisfactory to the public. It would insure the most perfect fair play and prevent any sort of bias. He maintained, with great confidence, that this system was fair and honest and well-conceived for the purpose that it had in view; that it was founded on a spirit of justice to India, and of enlightened fairness towards all sister institutions. As he had shown that admission to this College might be obtained by those who passed a successful examination without reference to the place where they had been educated, he would suggest to the hon. Member for Reading (Sir Francis Goldsmid) that there was no necessity for passing his Resolution.

Dr. BALL said, if there were no other person who would insist on a Division of the House on this question, he would. This proposed College, the building of which would cost £90,000, and the supposition it could teach practical engineering, was as if the art of war could be learned from the fortifications which

Corporal Trim put up in Uncle Toby's garden. There were two kinds of education required—one mathematical and scientific, and the other practical and experimental. The first, he thought, might be taught in the Universities better than in any other institution, whilst the second could only be acquired by actual experience or work.

Mr. DALGLISH believed that greater experience was to be gained in England than in India, and that it would be better to send out qualified men to that country than go to the expense of educating them there.

Question put.

The House *divided*:—Ayes 46; Noes 52: Majority 6.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved, That, in the opinion of this House, young men qualified by character and attainments for admission into the service of the Government of India as Civil Engineers, ought not to be excluded from such service by reason of their not having been educated at a Government College.

ECCLESIASTICAL TITLES ACT REPEAL BILL—[Bill 27.]

(*Mr. Attorney General, Mr. Gladstone, Mr. Solicitor General.*)

MOTION FOR A SELECT COMMITTEE.

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [2nd March], "That the Bill be committed to a Select Committee."

Question again proposed.

Debate *resumed.*

Mr. NEWDEGATE: Sir, I have on two previous occasions requested the hon. and learned Gentleman the Attorney General to defer this Bill on account of the lateness of the hour at which it came on; first, on Wednesday last, when it was a quarter to 6 o'clock, and the night before, when it was brought on at a quarter past 1 in the morning. It is now 35 minutes past 12, and I really think it would be but reasonable that the House should have an opportunity given it of considering the proposals which the Government have to make upon the subject. I will, as shortly as I can, place my reasons for holding that opinion, and for proposing the Motion, with which I shall conclude, before the House. I need hardly remind the House that the Bill was but little discussed on its second reading; except a short statement made by the Attorney General, the Members of the Government said nothing. It has since been understood that there is so much difference with regard to the legal construction of the Bill, that Her Majesty's Government wish to refer it to a Select Committee, in which they may have the advantage of obtaining the legal advice of certain Members of this House on the language and details of the Bill. But I would take the liberty of submitting to the Government that, although the principle of the Bill has been affirmed, there has been no inquiry by Parliament since two circumstances occurred which materially alter the subject-matter, to which it is intended that the Bill should apply. It was in the year 1868 that the House of Lords inquired into the operation of the law with respect to the assumption of ecclesiastical titles. That was the year preceding the passage of the Irish Church Act, which, of course, altered the bearing of the law, inasmuch as, having abolished the legal existence of the sees connected with the Established Church, the 24th section of the Relief Act of 1829, which prohibited any ecclesiastics from assuming the titles of the sees then occupied by Prelates of the Established Church, has ceased to be operative. But another circumstance has occurred since the Lords' inquiry in 1868—that was the last inquiry; for the Committee of this House sat and reported in 1867. There has also been a Council held at Rome, called "Œcumenical," by which, avowedly, according to the statements of the Roman Catholic Bishops who composed the minority in that Council, their positions, and that of all Archbishops and Bishops of the Roman Catholic Church, have been entirely altered. After January, 1870, the proceedings of the Council were secret by command of the Pope; but before the 14th of January, 1870, much information was published, which shows that the Bishops considered their position was to be materially altered by the proceedings of the Council. Notwithstanding the attempts to preserve secresy, much has become known of the latter proceedings of the Council, while the decrees, as published, prove the alteration in the position of the Bishops. The plea issued by the late Cardinal Wiseman in defence of the Papal Brief of 1850, which created in this country, and in Parliament, the feeling that subsequently took form in the Ecclesiastical Titles Act, was that the Vicars Apostolic—the title by which the Roman Catholic Bishops were known previous to the publication of the Brief—had no canonical jurisdiction, and that they could not therefore assemble in synod, whether diocesan or provincial, and bring the canon law into operation; and it was pleaded that the English Roman Catholics would acquire certain rights and advantages for their Church, if the canon law were brought into free action. As far as I can gather, the recent decrees of the Council have not abrogated the jurisdiction over others, which the canon law vests in the Bishops who were appointed under the Brief of 1850; but it has done this—it has totally annulled all independent rights, all power of independent action on their part; and, therefore, whilst they are still invested with all the privileges and powers which the canon law confers upon them over others in their own community, or over any country, where that law is admitted, they have no right whatever as against the Holy See itself. So there is a distinct change created by the Irish Church Act with respect to the constitution of the United Kingdom; and, next, there is a still greater change in the constitution of the Roman Catholic Church itself, and in the position of those, who, by this Bill, would be permitted to assume titles, that have hitherto been by law prohibited. I will not now go into other circumstances, which might well induce the House to pause; but I will simply move by way of Amendment to the Motion of the Attorney General, the words of the Instruction, adopted by the House of Lords in the year 1868, for the guidance and direction of their Committee—namely, that all the words after the word "that" be omitted, for the purpose of inserting the words—

> "A Select Committee be appointed to inquire into the operation of any Law or Laws, as to the assumption of Ecclesiastical Titles in Great Britain and Ireland, and whether any and what alteration should be made therein."

It should be remembered that in 1868, the Committee of the House of Lords inquired into the operation of the canon law as it affects Bishops, and with all respect for the learning of this House, I do believe, that there is at present a want of important information which has never reached the Members of this House generally. And, whereas, this very Committee of the House of Lords deemed it essential to ascertain the position of those Roman Catholic Bishops in their own Church, I think that, if their Lordships did not err, it must be still more the duty of this House to obtain information on the subject, considering that the position of these Prelates has been materially and recently altered, so far as the information goes which has reached this country. For my own part, I cannot conceive what objection the Government can have to allowing this House to obtain additional and necessary information upon this subject, since that information relates to facts and their effects, which are totally novel as respects both the laws of this country and the laws of the Roman Catholic Church. I will not longer detain the House; but I hope I have stated sufficient grounds to show that my Motion is neither factious, nor without foundation.

COLONEL **RUGGLES-BRISE** seconded the Amendment.

Amendment proposed,

> To leave out from the word "That" to the end of the Question, in order to add the words "a Select Committee be appointed to inquire into the operation of any Law or Laws as to the assumption of Ecclesiastical Titles in Great Britain and Ireland, and whether any and what alteration should be made therein,"—(*Mr. Newdegate.*)

—instead thereof.

DR. **BALL** said, he hoped his hon. Friend would see the expediency of not proceeding with the Amendment. The proposition to which it was an Amendment had already received the sanction of the House. He was a decided advocate for the Bill, having always considered the Ecclesiastical Titles Act as one of the most unstatesmanlike measures ever passed, and he should view its repeal with unqualified approbation. A Committee of the character suggested by the hon. Member was wholly unnecessary, seeing that the Committee of the House of Lords had fully gone over the ground. Was the Committee intended to stop the progress of a measure to which the House had already assented? The Bill had now arrived at a stage in which nothing but the settlement of certain legal points remained to be done. In his opinion the supremacy of the Crown was fully established by the common law without this Act. The hon. Gentleman would have other and ample opportunities of enforcing his views on the House, and he did trust that the hon. Gentleman would now withdraw his Amendment.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided:*—Ayes 73; Noes 10: Majority 63.

MR. CHARLEY was of opinion that further inquiry was necessary, and he reminded the House that penalties in reference to this subject were not new, having been imposed by Richard II. There could be no doubt that the Attorney General had refused to give Mr. Cobbett permission to proceed against Archbishop Manning.

THE ATTORNEY GENERAL gave the statement that Mr. Cobbett applied to him a flat contradiction. He applied to his clerk, who told him he must memorialize in the usual way, but he declined to do so.

Main Question put, and *agreed to.*

Bill *committed* to a Select Committee.

BUSINESS OF THE HOUSE.

Moved, "That the Select Committee on the Business of the House do consist of 23 Members. That Mr. Collins and Mr. White be added to the Committee."—(*Mr. J. Lowther.*)

Motion *agreed to.*

House adjourned at a quarter after One o'clock, till Monday next.

* * *

HOUSE OF LORDS,

Monday, 6*th March,* 1871.

MINUTES.]—PUBLIC BILL—*First Reading*—Justices Procedure (England)* (31).

Dr. Ball

OUR NATIONAL ENGAGEMENTS AND ARMAMENTS.

MOTION FOR PAPERS.

THE MARQUESS OF SALISBURY rose, pursuant to Notice, to call attention to the guarantees which have been undertaken by this country, and to the military resources at the command of this country for fulfilling them; to ask the Secretary of State for Foreign Affairs, Whether any communications have passed with Foreign Governments with reference to those guarantees; and to move that the collection of guarantees published in 1859 should be reprinted, with the addition of any that have been contracted since that time? [Earl Granville, was not yet in his place, but arriving at this moment, the noble Marquess, after making allusion to the noble Earl's tardiness, proceeded] — My Lords: I do not think it necessary to offer any apology for calling your Lordships' attention to a most important matter connected with the foreign relations of this country, inasmuch as I think it will be admitted that this is a juncture of no common peculiarity, and no common moment. The whole of the old system of Europe may be said to have been swept away. We are looking into a future in which the equilibrium that governed Europe in past times has disappeared, and we have to reckon on new forces, new balances of power, possibly new enemies—I trust on new and strengthened alliances. This, at all events, is a time at which it is fit to ask the House and the noble Earl opposite (Earl Granville) to review our position with respect to our foreign obligations. My Lords, I cannot think that your Lordships will be of opinion that the aspect of our relations with Foreign Powers is at present altogether satisfactory. We find ourselves in this peculiar position — that while all our leading authorities at home tell us our condition was never more satisfactory, and our influence never greater, every important organ of opinion abroad, whether French or Prussian, tells us we have effaced ourselves, and that our influence in Europe is nought. And certainly the events of the past year would rather seem to confirm the foreign view of our position than that which we are pleased to indulge in ourselves. There are three great Powers in the world now

—Russia, Prussia, and America—and from their treatment of us we may very satisfactorily gather the condition in which we stand in the estimation of the world at large. Now, what do we find? We find that in a momentous matter Prussia has concluded a treaty defensible on no ground, and in utter contempt of our remonstrances. We find that Russia has taken the opportunity of tearing up the treaty which we imposed upon her in happier times. We find that America, in the Hall of her Representative Assembly, and in the residence of her chief Executive Officer, openly receives and honours those whom we had cast out as rebels. That is the condition in which our power and influence stand, so far as illustrated by those three Powers. I confess that it would be nothing but a gloomy prospect that I should ask you perhaps to consider, were I to enter on the general question of our foreign relations, and to compare our present position as regards other countries with that which we occupied in past times. It is not, however, with matters of mere sentiment that I desire to trouble you. Whether we exercise a great influence or a small one—whether our influence is of that material kind which our fathers were wont to value, or that great moral influence with which we are flattering ourselves, and which means our never being able to induce others to do what we want—these are, to a certain extent, matters of taste and sentiment. If the people of this country do not choose to occupy the position of those who went before them—if they prefer to lose the honour or sentimental tradition rather than incur the cost and risk which it would involve, there is little more to be said. What I am going to ask your Lordships' attention to is a matter of a more solid and practical character. We have been accused of being a shopkeeping nation. Now, I want your Lordships to examine your ledgers and see what is the condition of your obligations—to see, in commercial language, what are your liabilities and what are your assets. I want you just to look and count up the obligations you have incurred in the past, to calculate the results of those obligations, and to look round and see what are your means of satisfying them. Now, my Lords, what are those liabilities? It has been the practice of many Powers of Europe, on the conclusion of a treaty, to guarantee the resolutions to which they have come as to the territory it might assign to any particular Power. That was a dangerous game to play—a game to which all nations have committed themselves more or less, but none so much, or so frequently, as England. Our guarantees extend over the whole of Europe, and even into the other hemisphere. I will not follow them beyond the Atlantic, but will simply ask, what are the guarantees which we have undertaken in this quarter of the world? Beginning from the Westward, we have guaranteed the territory of Portugal, the territory of Belgium, of Switzerland, Greece, Turkey, and Sweden; and, to show your Lordships that this term guarantee is no word of uncertain significance, I will venture to read the terms in which two of these guarantees have been undertaken—so that you may know the exact extent of the obligations they involve. I will not quote any of the ancient guarantees, which, it may be said, belong to a system of politics that has passed by, but will confine myself to those entered into since the noble Earl opposite became a Member of the Legislature of this country. The first that I will ask your Lordships to look at is that which guarantees the territory of Sweden. It was undertaken during the Crimean War, in conjunction with the Emperor of the French. The Article by which we undertake to guarantee Sweden and Norway states that, in case Russia should attempt to obtain the cession or exchange of any part of the territories belonging to those Crowns, the King engages forthwith to apprize England and France, and that England and France engage to furnish him "sufficient" — mark the word—

> "Sufficient naval and military forces to co-operate with the naval and military forces of his said Majesty for the purpose of resisting the pretensions or aggressions of Russia."

I will take another model of these guarantees, and that the most important into which we have entered, and the one which is most likely to be brought home to us by a breach of the conditions on which it depends. I refer to Turkey. The guarantee says—

> "The high contracting parties guarantee, jointly and severally, the independence and integrity of the Ottoman Empire, recorded in the Treaty concluded at Paris on the 30th of March, 1856."

Your Lordships will notice the words "jointly and severally"—they are very important words. In a discussion on a recent guarantee a short time ago, it was shown that the guarantee was purely a joint one; that the execution of it could never be required unless all the parties who joined in it were prepared to join in executing it; and that, as the parties who were to join in executing it were the only parties at all likely to break it, it did not involve much danger. But this cannot be said of our guarantee with regard to Turkey. This guarantee is joint and several. If you stand alone —if, as Mr. Odo Russell said the other day, "with or without allies"—the infraction of the treaty on any point of the frontier of Turkey binds you in honour to interfere. From the moment this guarantee was entered into, the frontier of Turkey became to you as the frontier of England—indeed, something more, for you can deal with the frontier of England with loss but without dishonour, whereas you cannot abandon an inch of Turkish frontier without forfeiting your plighted honour. Now, in the presence of all these gigantic engagements to protect the territories of Portugal, Belgium, Switzerland, Sweden, Greece, and Turkey, I wish to inquire what means you have at this moment—what means the Government propose to furnish — of executing the obligations you have undertaken. I will just state the forces with which you would have to deal. And here I must guard myself against being told that it is premature to assume that there will be any necessity for meeting our obligations. We hope the world will remain for a long time at peace; but had there been no danger of anybody attacking these territories you would never have entered into guarantees, and the very fact of our having concluded these guarantees obliges us to consider what we should do in case other Powers violated the frontier we have thus secured. We must, therefore, inquire what their power is? The countries principally likely to be attacked in case any Power was disposed to attack them, lie on the frontiers of Russia, Prussia, and Austria. I do not include France, for, I suppose, at the present moment it is unnecessary to inquire into its power, in the event of another war. The standing Army of Austria is 800,000 strong, its Reserve, is 300,000, and its Landwehr 200,000. Russia has a standing Army of 827,000 men, 410,000 local troops, and 229,000 irregulars. The field troops of North and South Germany number 670,000, their depôt troops 228,000, and their garrison troops 263,000. Austria has altogether 1,053,000 men, Russia 1,466,000, and Germany 1,161,000. Now, what have you got to meet this? I was very much struck in the debates, both in this and in the other House, by the readiness with which the Ministerial advocates always point to our fleet as a sufficient answer to all such questions. My noble Friend behind me was recently rebuked for not alluding to the fleet, and for not remembering that the fleet is our first line of defence. So, again, in discussing our military forces, it never seems to enter the mind of anyone that our fleet has anything else to do beyond defending the particular island on which we stand. If, however, you have entered into these guarantees, you must recollect that the frontiers of those countries are your own frontiers, and that so long as the boundaries and the guarantees exist you are bound to resist attack on them until you have released yourselves from your engagements. Of what use is it, then, to talk of the fleet? Of what value would the fleet be in defending the European or Asiatic frontier of Turkey, or in defending Sweden? Look at the history of the past. Was the fleet of much use in the siege of Sebastopol, or even in the Baltic during the Crimean War? So far as I know it, it did nothing towards the reduction of any great fortress or town on the Russian coast. It did nothing towards keeping troops in the North which Russia wanted in the South. We are too apt to be misled by the great things the fleet did during the great Revolutionary War. No doubt it was a powerful instrument in hampering and ultimately in subduing Napoleon; but why? We had then the power of declaring a general blockade, and of searching neutral ships for enemies' goods. In your reckless Utopianism you have flung those two weapons away, and your fleet can only blockade the particular port to which it is sent, or bombard any fortress which may happen to be on the coast. I believe that since the Declaration of Paris the fleet, valuable as it is for preventing an invasion of these shores, is almost valueless for any other purpose. I do not doubt the courage or vigour of French sailors; but we have seen how perfectly worthless the French fleet has been during the deadly peril of their country. I believe there is no delusion more fatal to this country than to believe that, if we are called upon to sustain our foreign policy with respect to any one of these guarantees, our fleet is a first line of defence. If so, what have you to oppose to the millions of men of these European Powers? I believe we have 100,000 soldiers in these islands, or are to have when the Estimates are voted; 200,000 Militia and other irregular troops, and 150,000 Volunteers. But the Militia and Volunteers cannot leave these islands. For the purpose, therefore, of foreign action, your utmost strength is limited to 100,000 men. I do not intend to criticize their composition. I am perfectly willing to accept with thankfulness and with full credence the testimony of the illustrious Duke the Commander-in-Chief the other night to their efficiency; but I remember that at the same time he added that they were far too small for our needs at the present day—a statement very important coming from one in his position. It is absurd to suppose that you can sustain these guarantees with nothing but whatever you can spare from these 100,000 men. I know I shall be told that we do not, and never can, compete in numbers with the military monarchies of the Continent. No doubt; but I would venture to call your attention to another Power which proceeds on a totally different principle, and which, like you, refuses to compete with the great military monarchies of the Continent, and frames its policy accordingly. I am no great admirer of America; but I must say that in this matter of foreign policy there is a consistency and unity of purpose which we might well study. The Americans, it is true, have a smaller standing Army—not more, I believe, at present than 50,000 men—but then they do not pretend to share in the councils of other nations. They appear at no council board, and as they do not care to take part in the negotiation of any treaty they are burdened with none of those onerous guarantees. If you wish to share their immunity from danger you must also share their immunity from all responsibility for what occurs in Europe. Now, it is not easy to make this little "streak of silver sea" like the Atlantic. It is very difficult for us to keep apart from European affairs. I was going to say it is impossible—but when I have seen how readily we stood aside and witnessed a great nation crushed, I cannot say that it is impossible. We are taking up a position which is without example among the nations of the world. The art of war has received enormous development. Vast bodies of men are now raised which could not be raised in times past, and owing to the railway system every one of the Powers to whom we are likely to be opposed is capable of concentrating at a few weeks' notice upon a single point its whole military strength. They have recognized the change in the art of war, and how necessary it is to increase their power both of defence and offence. We have reduced both; and yet while we have refused to increase our military strength we refuse either to take the part of retiring from promises which we are unable to perform, or of ceasing to meddle with affairs which we are no longer able to influence. We are speaking with a double voice. We maintain the pretensions and hold the language handed down to us from another period when we had more spirit, and at the same time every nation in Europe knows that our military organization is such that we cannot act up to the promises we have made. We have been recently told on very high authority that the organization of our military system imposes upon us a *rôle d'effacement.*

EARL GRANVILLE: What is the authority?

THE MARQUESS OF SALISBURY: *The Moniteur* of Versailles. Consequently a power of deliberation is all that is now left open to us in European affairs. It throws a doubt into all we may do. It is no use our maintaining a high tone when it is well known how far short our means fall of our great pretensions. There is great danger of our being at any moment in a difficult position. It is impossible to mistake the course of current events. We see that these small kingdoms which we have guaranteed are marked out by the destinies of the world for destruction. Almost every successive generation sees the absorption of one or other of them into a larger empire. The great organizations and greater means of locomotion of the present day mark out the future to be one of great empires. The small Powers will have hard work to live at all. These guarantees, therefore, will be no sinecure. These territories we have guaranteed are, of all others, the very territories that are likely to be attacked. Who will say that Sweden, and Turkey, and Belgium, and Portugal are likely to be the most long-lived among European nations? We know that the military storms of this era do not give much notice. They burst upon us suddenly when we least expect them; and with our onerous obligations, and our minute military force, we may at any moment be put in the dilemma of either sacrificing our national honour or of rushing on to certain defeat. I do not think that defeat is likely to be the horn of the dilemma we should adopt. My fear is that when the extremity comes we shall look at the obligation, turn it round and round, talk very big, lecture one side or the other, and then when Europe cries shame on us, we shall congratulate ourselves at home upon the moral pinnacle on which we stand. That of late years has generally been our part when we have had inconvenient obligations to encounter, and it will increasingly be our part in the future. At all events, let us face these things now. This is a period above all others when this subject can be entertained by Her Majesty's Government. The treaties which inflict upon us the most burdensome guarantees are at this moment under discussion at the council table of Europe, and a Congress at which others will be brought forward is likely to be summoned very shortly. I think it is now right to ask the Government to look boldly at the future—no longer to postpone their decision to the last extremity; to make up their minds whether anything is to be done to provide forces adequate to fulfil these obligations, or whether they intend to ask other Powers to allow them to withdraw from, or modify them. Unless they come to some determination—if they continue this system, which I must call one of permanent braggadocio—if they will not adapt their promises to their powers, or their powers to their promises, I foresee a time of terrible humiliation to this country which may shake our institutions to their centres. Therefore it is that I now venture to ask the noble Earl to give us some assurance of his policy in this respect, and now, while the nations of Europe are in council as to the future aspect which the political whole of Europe is to assume, not to forget the guarantees which are contained in this book, but to do something to spare us the terrible humiliation which will come upon us if the day should arrive for meeting, with such a force as the Estimates now present, the great military monarchies of Europe. The noble Marquess concluded by asking the Secretary of State for Foreign Affairs whether any communications have passed with Foreign Governments with reference to these guarantees, and his Motion?

Moved, "That the collection of Guarantees published in 1859 should be *reprinted,* with the addition of any that have been contracted since that time."—(*The Marquess of Salisbury.*)

EARL GRANVILLE: My Lords, the noble Marquess (the Marquess of Salisbury) has made a very remarkable speech, and has put most important questions connected with the welfare of this country. The noble Marquess was so anxious to make the speech that he gave notice of a Motion four days before he had made up his mind what the Question he should put to the Government should be; and such was his haste that even this evening he complained of my not being in my place before the hour at which, according to the forms of the House, the Orders of the Day are called on. There are one or two things I wish to say with regard to the speech. One is, that I certainly recognized, except in a very few sentences, nothing of party spirit in it. The other is, that the noble Marquess has not shown the inconsistency which some of the critics of Her Majesty's Government have done, who have declared that we are utterly unprepared for war, and yet in the same breath have complained that we did not use language and do things which must inevitably have led to that result. I would, however, appeal to your Lordships whether, in the exaggeration which characterized almost every portion of the noble Marquess's speech, it is likely to be of utility in any national point of view. It was once remarked by a very eloquent and witty man that the peculiarity of this country was that we were in the habit of laying ourselves upon the dissecting-table and cutting down to the very bone in the face of Europe and all the world. I believe that the principle is a good one; but when carried to a false and exaggerated extent, the only effect it has is to give an impression very far from the truth as to the position of this country in the eyes of Europe. I think the noble Marquess, in introducing this subject, might have avoided his preface about the miserable position this country holds in Europe—about our being effaced from the councils of the world, and the impossibility of our exercising any influence for any good purpose. The noble Marquess, on my asking the authority for this description, told us it was *The Moniteur Officiel*, of Versailles, which said this. Now, it is rather remarkable that that sentence was in a non-official article in that journal, and that the next day the Foreign Minister of Germany expressed his regret to Mr. Odo Russell that such an article had appeared without his knowledge; and he took the important step, certainly not at our request, of putting a censorship on the non-official articles of that newspaper. The noble Marquess even condescended to twit us with being considered a nation of shopkeepers. Now, if our being a nation of shopkeepers means that we love peace, order, liberty, and industry, I admit the accusation; but if it means that we flinch from doing that which the honour and interest of the country require us to do, I entirely repudiate it. The noble Marquess throws it in our face as a term applicable to us because in a great and deadly struggle—

THE MARQUESS OF SALISBURY: May I interrupt the noble Earl? I did not use the term as one of reproach. I adopted it as a common figure of speech.

EARL GRANVILLE: I really do not think that, when the noble Marquess quoted the phrase, as showing the estimation in which we were held all over Europe, it was with any other view than that which I have pointed out; but if he disclaims it, I am glad to have him on my side so far. I beg leave to say, for the benefit of others who have used it in the sense I have described, taunting us because we have maintained a fair and impartial neutrality during the struggle which we vainly attempted to prevent, that it was applied to us by a great military genius whose fall was very much accelerated by the most extravagant expenditure, both of blood and treasure, which up to that time any nation had ever made. I say, therefore, that the re-pointing of it as a term of reproach is perfectly ridiculous as applicable to a judicious and politic course, and to the policy which, when we first declared it in Parliament, was almost unanimously approved by both Houses and by the country. I perfectly admit that in this country remarks are made about our descending to the position of a second or third-rate Power. I admit that this sort of language has been repeated abroad, in France and Germany, and in some of the neutral States; but when I seek tangible proofs of it I fail altogether to find that to be the estimation in which we are held on the Continent. Let us look first to the neutrals. With one neutral there was, for a moment, an incident of a very painful character—I allude to the Circular of Prince Gortchakoff; but whatever there was of offensive in the mode of that declaration was offensive in like manner to both the belligerents. I say both advisedly, for I believe that whatever understanding there might have been between the two countries, as to a possible revision of the Treaty of 1856, the mode was surprising and distasteful to both the belligerents. It was the same matter of offence to every other country of Europe, and it has been met in a way common to us as well as other countries. I would point out a slight incident with regard to it. We were the first to complain, and to assert that we would not admit what had been done by Russia; and the very fact of Russia going into a Conference, where the condition which we put on the entrance into the Conference was a withdrawal of the declaration she had made proves a good deal. What is more—although two Governments in Europe were desirous that the Conference should be held in their capital, and although we expressed no wish whatever, and even put London as the last alternative to other places, the European Governments unanimously decided that London was the proper place for holding it. With regard to other neutrals, does the noble Marquess rely entirely on a phrase in an article published by a small French paper? Has he read the Papers laid before Parliament, and can he conscientiously say that, on the part of the neutral Powers, a feeling has been shown of our being effaced, and of no account in the councils of Europe? It is impossible not to remark the courteous and conciliatory tone they have displayed towards us, their anxiety to know our views upon every subject, their wish to conform as much as possible to our policy, and their always proposing to us to put ourselves in the first rank with regard to anything to be done. This is evidently the estimation in which we are held in Europe, and we are not to judge in the matter from chaffing articles in newspapers. With regard to the belligerents, take Prussia. I am sorry to say there has been a feeling of great dissatisfaction with us on the part both of Germany and France. I remember Lord Clarendon speaking in this House four years ago on the disadvantages to us of a war between France and Prussia. He pointed out not only the great difficulty of our avoiding being dragged into the war—which we fortunately have not been—but said it appeared to him almost impossible that the most hostile feelings should not be excited on the part of the belligerents if we performed our duties strictly and impartially as a neutral Power. The result has verified his prophetic sagacity to a certain extent, and I certainly expected it last year. Has Prussia, however, treated us with the contempt which is alleged? She has complained of certain things—such as the export of arms. I do not say that was reasonable on the part of statesmen; but it was most natural that some irritation should exist, such as we ourselves felt, to some extent, under similar circumstances. I have from the first known the firm declaration of Germany, that as it was belligerents who made war, it was the belligerents who should make peace. I could hardly understand myself how men so strong with regard to military means, so powerful with regard to diplomacy, should be so sensitively fearful even of appearing to yield to any advice tendered in a friendly manner by Powers who would have been inclined to act in that manner; but if there is any inference to be drawn from it—if that fear has been expressly shown to England more than to any other Power—it is certainly an indirect compliment in itself, and does not, in the slightest degree, show what the feeling would be towards small and insignificant States which should offer advice without any possible means of enforcing it. Both France and Germany have shown an incapability of understanding how, notwithstanding our neutrality, we could wish to be on friendly relations with the other belligerent without being hostile to them; but, with this exception, I really am not aware of any one proceeding on the part of Germany which justifies the view taken by the noble Marquess. When an unfortunate incident occurred on the Seine, nothing could be more prompt or courteous than the explanations made by Prussia; and the Correspondence on the Table with regard to one of the guarantees to which we are parties does not show that we have much to complain of in the tone which Germany has adopted towards us in that Correspondence. There is another incidence of some importance—the fact of Mr. Odo Russell having, for the last three months, been at the German head quarters at Versailles, he being the only diplomatic Representative there of any European Power. He has been received with singular courtesy and cordiality—a good deal owing to his personal merit, his great ability, knowledge, and conciliatory manner; but still I cannot believe that the exception made in that way can be regarded as otherwise than a compliment to this country. With regard to France, her position of calamity and her reverses naturally inspired more dissatisfaction on her part. She is angry with us, not unnaturally, again—though I believe our policy was perfectly just and right—for not flying to her assistance when she was in difficult circumstances; but in none of her appeals to us is there a trace of her thinking us feeble and useless. At one time she assures us that one word from us would be sufficient; at another time she asks us to give more force and strength to our appeal, saying that if we did so she could succeed and conquer the enemy. Are these evidences of the feebleness or weakness of this country? I entirely deny that we have effaced ourselves, as the noble Marquess says. The noble Marquess has given a description of the different guarantees, and our ability to execute them; and in that description he said things which I cannot possibly agree to. There was great exaggeration in his description of international law. I remember, four years ago, when some of us were complaining of an explanation of treaty obligations which we thought extraordinary, a noble Earl opposite (Earl Grey) reproved some of us for continuing the discussion, as one which it was very undesirable to continue. I believe the remark applies still more strongly to a person having an official position, who should go and lay down general principles as to the application of different liabilities. It is not only not my duty to do that, but it would be acting contrary to my duty to give any definition of the sort. A Turkish statesman, when asked by three great European officials as to a certain doubtful alternative, said—"When a lady is in an interesting condition, it is impossible for me to tell whether the child will be a boy or a girl, and I decline to answer the question until the child is born." If any of those dilemmas occur which the noble Marquess dwelt upon, it will be our duty strictly to recognize whatever obligations we are under, and then to concert with our allies—or, if there is any obligation resting on us exclusively, to consider by ourselves—the means best adapted to the honour and interest of the country. No doubt these treaties exist, one of the most stringent being the Treaty entered into 400 years ago with Portugal; and they come down to the Treaty respecting Luxemburg, which the noble Marquess omitted to mention, the stringency of which, as explained by the Government of that day, is of an infinitesimal character. The noble Marquess asks if there has been any Correspondence with Foreign Powers with reference to these guarantees? There has been Correspondence on the subject of these guarantees from the time of the Portugese Treaty 400 years ago, and there has lately been Correspondence respecting the Luxemberg Treaty, which has been already placed on the Table, as also has the Correspondence respecting the Treaty of 1856, which preceded the Conference. I am not aware of any other Correspondence which has passed under the present Government, to which, I presume, his Question is confined. I entirely deny the noble Marquess's description of the helplessness of this country. We have done things during the last six months —I have mentioned three—which would have been eminently culpable in the Government had we believed that we were so impotent, both for offence and defence, as the noble Marquess has represented us to be in the opinion of all foreign nations. I will not enter into the question of our Army preparations, for that was discussed here a few nights ago by competent authorities, and we shall have opportunities, probably, of discussing in detail the measures which the Government have thought right to introduce to strengthen what now exists; but I deny that we are in a position of incapacity to fulfil the engagements we have entered into and the language we have held. As to our system of "permanent braggadocio," I was accused the other day—not, I think, with much force—of having used some of those conventional phrases of courtesy, which, avoiding irritating, do not in the slightest degree weaken the force or clearness of what is said; but I challenge the noble Marquess to produce anything which I wrote by the advice of my Colleagues bearing the least semblance of braggadocio, or containing a word to which I do not now implicitly adhere. We adopted a certain policy last year, and endeavoured to adapt it to circumstances as they arose, I am told with great success—not in stopping the war, which I believe it was utterly impossible for us to stop, unless we had rushed into the fight ourselves, and then, of course, no one could tell what would have happened—but success in keeping this country out of entanglement. I believe we have contributed also, in some degree, to localize the war, and prevent its becoming a universal conflagration. The noble Marquess derided the usefulness of our Navy. Now, three days after hearing a noble and gallant Admiral describe our Navy as in a perilous condition, I met one of the most eminent men of the United States, Commodore Roberts, who has been sent here, not exactly as naval *attaché*, but as inspector of the navies of Europe. He told me he had heard these criticisms with astonishment, for he was struck with the admirable state of our Navy, and its immense superiority to all the other navies with which he was acquainted. I asked his permission to mention this, which he frankly gave; and when you get this sort of independent observation in support of the official declarations of the Government, I trust neither your Lordships nor the public will go to bed at night with the nightmare created by the noble Marquess's speech. I have no objection to the Motion the noble Marquess has made; but I thought it necessary to say thus much in answer to his exaggerated statements.

THE EARL OF MALMESBURY: My Lords, I was surprised to hear the noble Earl reproach my noble Friend (the Marquess of Salisbury) with indecent hurry in bringing forward this subject, for I began to think that it was almost a disrespect to the noble Earl the Secretary for Foreign Affairs for the House to have sat a month without taking more notice of his important Department, at a time when Europe is in an unparalleled condition; and had not my noble Friend brought the question forward, I think I could not have abstained from doing so myself. During the whole of my life—and that is now not a very short one—I have never remembered political international morality at so low a standard. This decadence of political morality began with the breach, in the most inexcusable manner, of the Treaty of 1852, which was drawn up by Lord Palmerston, approved of by the noble Earl opposite (Earl Russell), then Secretary of State for Foreign Affairs, and signed by me, and from that moment Europe has been a scene of confusion. My Lords, this first act of aggression — of dishonesty, I will call it—was the invasion of Denmark; and I remember the late Lord Palmerston saying to me on that occasion—I wrote down his words afterwards—"This is the worst thing I have ever yet seen; but it will bring on worse things still." He spoke a prophecy which has been fulfilled. That invasion of Denmark did not profit those who expected to profit by it, because Prussia took care that it should not, that being her second breach of faith in the matter. Then came the war between Austria and Prussia — a war so dishonourable, I think, to both parties, and which set a bad example to other nations—and which I cannot help thinking has, like many other bad examples, been followed. What was the cause of this war between France and Germany? Napoleon III., believing that he would be the next person attacked, anticipated—exactly as he did when he made his *coup d'état* in Paris—the attack that would be made on him by Prussia. He put on one side all respect for the covenant of nations and for international agreements, as made in 1856, and, as your Lordships know, he has been severely punished for a breach of these, when, at the time, he had received no adequate insult from Prussia to justify him. This brings me to the remark of my noble Friend opposite (Earl Granville), who said he believed it was impossible to stop this war. I will do my noble Friend the justice to admit that, once the war began, it was impossible to stop it; and for this reason—because the fortune of the war all ran in one way, and so rapidly that it would have been very difficult, if not impossible, to mediate between the belligerents. If the victories had been alternate, or anything like drawn battles, then my noble Friend might have stepped in to stay the slaughter, and might, perhaps, have stopped the war. But I am not so sure that he might not have averted it originally. That he could have averted it eventually, perhaps, was doubtful; but, still, every moment gained in diplomacy is a blessing to mankind. Every year added to the duration of peace is of immense advantage, because through the death of some one man, or through some other event, you may hope to see an outbreak of hostilities prevented. An historical fact occurred in 1859, when the late Lord Derby's Government was in office, and I was myself at the Department over which my noble Friend now presides. At that time the Italian War was about to break out. We, of course, desired to settle the difference between Austria and Italy by a Conference. The Emperor Napoleon was most eager for that war, because he had his dynastic reasons for wishing it. Your Lordships may depend upon it that he was more eager to go to war at that time, and to join Count Cavour in attacking Austria and emancipating Northern Italy, than he was to commence hostilities against Prussia a few months ago. After extensive correspondence and great anxiety on the subject, we did prevail on the Emperor Napoleon to agree to disarm himself, and to oblige Count Cavour to disarm, and refer the questions in dispute to a Conference; and if Austria had not madly and precipitately rushed into Piedmont, that war, so far as the French Emperor was concerned, would never have happened. I say this because it is just to the Emperor Napoleon, who has been the best ally to this country of all Sovereigns who ever sat on the

Throne of France, and in whom, therefore, whatever we may think of his course since, we ought to feel some grateful interest—I say this in justice to him because it proves that he was amenable to the representations of the British Government, to whom he was a firm ally. Therefore, I do not agree entirely in what my noble Friend said as to its being absolutely impossible to have averted the war. I may observe that we found the Emperor Napoleon amenable to two arguments—first of all, to the argument that he did not fight with the other powers of Europe upon equal terms—that the Emperor of Austria might lose half-a-dozen battles and not lose his Empire or his Crown, whereas he staked everything on the fate of one battle. The second argument was that if he defeated Austria completely, it was impossible to suppose that the rest of Germany would stand quiet and allow her to be destroyed. Therefore, if in the more recent case it had been properly shown to him not only that he risked his dynasty by this wilful war, but also that Russia would not have allowed him, even if he had gained some victories, to take possession of Prussia, that might have induced him to change his mind, or, at all events, to wait till he was attacked. It may, my Lords, be said that these are mere speculations on the past; but I have adverted to them in consequence of the observation of my noble Friend opposite that it was impossible to stop the war. The main object of the speech of my noble Friend behind me (the Marquess of Salisbury) had reference to our guarantees towards foreign States. No doubt, our honour is involved in those guarantees, and I confess that I should have been better pleased if my noble Friend opposite (Earl Granville) had risen in his place to-night and boldly said that England was bound to stand by her guarantees, and that she would stand by them. My noble Friend opposite did not say that: he left us to guess it; for I do not for a moment think he meant to throw doubt on those guarantees. They are of various descriptions. Some of them do not involve our own national interest, or our own self-defence and security; but others, again, do directly involve the safety and security of this country. The guarantee of Belgium, for instance, is as necessary for the security of England, in my opinion, and in the opinion of the greatest statesmen who are gone, as that which has been called our "silver streak of sea." Antwerp was described by the great Napoleon himself as a pistol held at the head of England by whoever possessed it. I know that has been doubted by some persons, and among them by a very able and gallant officer, Captain Sherard Osborn, who has published his views that Antwerp is no longer of the same consequence to us that it used to be; but he has not proved his case. We have no guarantee in respect to Holland; but is it to be supposed that if Holland were invaded we should not defend her, because we have no guarantee? Mr. Pitt and Lord Palmerston placed the highest value on the independence of Holland. The state of Europe, and the state of morality among Governments, is such that we cannot answer for a single day that they will not make might right at any moment or at any point. Recollect the negotiations which occurred—and they were by no means fictitious, but authentic negotiations—between Count Bismarck and the Emperor Napoleon with regard to the annexation between them of Holland and Belgium, and that they should each defend their share of the spoil against all comers. Your Lordships do not suppose that men of that position and note talk over plans of that sort like school girls talking about their sweethearts, just for the pleasure of chatting? Do you suppose these ideas were not in the brains of those two able men as possibilities, and that the only thing which prevented their maturity was that it suited neither party to carry them further at that time? Well, my noble Friend behind me (the Marquess of Salisbury) asks my noble Friend opposite—"Are you ready to support your guarantees, and are you strong enough to defend them?" My noble Friend opposite says—"We are strong enough; we have a great Navy." But is it not most extraordinary that my noble Friend—a Member of the Cabinet, and a most important Member—knowing what he must have known of the state of Europe last year, should have allowed the Army to be reduced to such a degree as it has been? The Government then, it appears, regrets what has been done, and has placed the Army at a higher strength; but it is impossible to suppose that strength is equal to maintaining our guarantees affecting Belgium and other countries; and therefore, considering the noble Earl has not said that we will stand by these guarantees, his speech will very much increase the difficulty of maintaining them, and very much alarm those who believe that the safety and honour of England are involved in maintaining them. My noble Friend's language is much less strong than it was six months ago, because we understood then from him that he did regard the guarantee respecting Belgium as one which England should never shirk. I cannot help saying, then, that I am not at all satisfied with the answer of my noble Friend opposite. I am one of those who believe that this country is bound strictly to maintain whatever covenants she has entered into with other nations; and, consequently, that it is our duty — our bounden duty — to provide ourselves with such a force as will enable us to do so with that lofty spirit which has ever characterized us.

EARL GRANVILLE: One word in explanation regarding the treaty obligation as to Belgium. I certainly decline giving general answers to specific cases put by the noble Marquess; but the noble Lord forgets that the treaty obligation entered into at the end of last summer with regard to Belgium was exactly one of those engagements which I said we entered into in the belief that we could carry them out; and I added that I defied the noble Marquess to show that we used any words to which we do not adhere.

THE EARL OF LAUDERDALE said, as the Navy had been alluded to, he thought it right to make a few remarks. He quite agreed with the noble Marquess (the Marquess of Salisbury) that the fleet did little in the Baltic and the Crimea; and there was good reason for it, for the guns and shot which they carried were perfectly useless against stone walls or granite. There was not a broadside gun that carried solid shot, and anybody who knew anything of our naval guns knew that hollow shot were perfectly useless against granite forts. That would sufficiently account for the Navy doing nothing. But as an instance which lately occurred he might mention that the Report of the French Admiral who commanded the French fleet in the North Sea, and which did comparatively nothing, gave the reason why. The Admiral said—"I had not a ship with me with which I could go near their shores." Now, he was sent to carry on coast operations, and if he was not supplied with ships that could go near the shore what could he do? The Admiral showed that it was not the fault of the French officers or the men, as the officers and men from the ships behaved admirably when defending Paris. He (the Earl of Lauderdale) had heard a great deal said about our fleet; but he believed that at the present moment our fleet was much in the same condition as the French. We had hardly a single armour vessel afloat for coast and harbour operations; hardly a vessel fit to go in shore and attack forts. He was glad to hear that a distinguished American officer had found out that we had a very powerful fleet. It was true we had about 40 iron-clads; but they all drew from 24 to 26 or 27 feet of water. Now, these vessels were not fit for coast operations. What we required was a very large number of vessels fitted for operations in shore. Of armour-plated vessels drawing less than 16 feet of water we had hardly any, except the class of vessels called gunboats. There was no doubt that our fleet consisted of very powerful ships, but it was a mistake to suppose that because these 40 vessels were armour-plated that they were fit to attack forts. He did not think that out of the 40 we had above 10 which were shot-proof against guns of 12 tons or upwards. He did not believe that the Navy was in such a state as the public supposed it to be. We were not in a state to defend our own coasts or forts, or to attack an enemy's. They knew that some 200,000 men could be collected on the opposite coast in a very few days, and as the ports opposite had each 20 or 30 large ships at command, each ship capable of transporting 800 to 1,000 men, the work of transhipment would not fail on that ground.

EARL GREY, in reply, acknowledged that the present would be an inopportune moment for discussing the conduct of England during the war just closed, but hoped some noble Lord would bring the matter forward before the Session was over.

Motion *agreed to.* (No. 33.)

JUSTICES PROCEDURE (ENGLAND) BILL [H.L.]

A Bill to consolidate and amend the Acts regulating Proceedings before Justices of the Peace out of Quarter Sessions in England—Was *presented* by The Lord CAIRNS; read 1ª. (No. 31.)

House adjourned at a quarter before Seven o'clock, 'till To-morrow, half past Ten o'clock.

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HOUSE OF COMMONS,

Monday, 6*th March*, 1871.

MINUTES.]—NEW MEMBER SWORN—Lord Henry Richard Charles Somerset, *for* Monmouth County.

SELECT COMMITTEE — Westmeath, &c. Unlawful Combinations [2nd March], *discharged;* Westmeath, &c. Unlawful Combinations, *appointed.*

PUBLIC BILLS — *Ordered* — *First Reading*—Income Tax Assessment* [64].

Second Reading—Army Regulation [39], *debate adjourned;* Stamp Act (1870) Amendment* [46]; Metropolitan Commons Supplemental* [62]; Local Government Supplemental* [63].

STATE OF IRELAND—WESTMEATH, &c.

OBSERVATIONS.

MR. GLADSTONE: I beg to give Notice of my intention to do what I think will be agreeable to the House—that is, to fulfil an implied obligation which Her Majesty's Government undertook in the course of the debate upon the appointment of a Committee to inquire into the state of Westmeath. My noble Friend the Chief Secretary for Ireland intimated—and I supported him in the intimation—that it would be perfectly agreeable to us to alter the terms of the Motion by omitting the closing words, which were considered to bear the interpretation that we desired to diminish the responsibility of the Government in regard to the inquiry—an interpretation we never intended them to bear. It was impossible to do this at the time; but it can be done now by cancelling the Order for the appointment of the Committee, and making a fresh one. I hope, however, that it will be understood that the Order is cancelled for this purpose alone; and as it is desirable that no time be lost, I shall take the necessary steps in the course of this evening.

SCOTLAND—MAIL TRAINS.—QUESTION.

MR. CARNEGIE asked the Postmaster General, Whether the Post Office authorities have exacted any; and, if so, what penalties from the Railway Companies in the north of Scotland for the frequent unpunctuality of the mail trains during the past year?

MR. MONSELL said, in reply, that the Post Office authorities had not exacted any such fine, nor did he think it would be possible to do so. He was informed that the principal irregularities were occasioned by delays in the branch lines, or by the extreme severity of the winter weather, which made it necessary, for the safety of the trains, that they should travel at a slower pace, and be stopped more frequently for examination. In ordinary times, the overtime hardly ever amounted to more than half an hour on the journey of about 500 miles, over lines belonging to two or three different railway companies. Delays often were owing to the letters not being ready on the branch lines, in consequence of a press of business. If the Post Office were to insist on exacting the penalties for delay, the railway companies would, of course, insist on not waiting for the branch mails, and serious inconvenience to the public would result.

SMALL POX AT GREAT GRIMSBY.

QUESTION.

MR. CADOGAN asked the Secretary of State for the Home Department, Whether his attention has been drawn to the fact that on the 8th February a vessel called "The Star," from Hartlepool to London, put in at Grimsby, where the Captain landed a seaman suffering from small pox, and that the Captain was thereupon ordered by the authorities to take the man on board again, and was informed that his conduct subjected him to a severe penalty?

MR. BRUCE: Sir, I have inquired into the case, which does not appear to be exactly as has been represented. It appears that the captain of the *Star* landed one of his sailors at the Royal Dock on or about 8th of February, and took him through the streets to the office of the clerk of the peace, leaving him outside the office while he went in, and stated his belief that the man was suffering from small-pox. He was told that he ought not to take the man about the public streets, as it was dangerous, and contrary to law; and he was recommended to take lodgings for the sick man; and as he apprehended some difficulty in finding them under the circumstances of the case, he was advised to apply to the relieving officer. He went to the relieving officer's house, and found that he was not at home, and he was again recommended to get the man lodgings. He was now told to take the man on board again; and I believe that he did not apply to any other person. I will add that this scandal, as I may call it, has arisen in consequence of Great Grimsby not having availed itself of the power given under the 37th clause of the Sanitary Act to erect either temporary or permanent hospitals, which, necessary in all large towns, are especially indispensable in our seaports.

THE INTERNATIONAL EXHIBITION OF 1871.—QUESTION.

MR. NEVILLE-GRENVILLE asked Mr. Chancellor of the Exchequer, Whether this House will be asked specifically to vote any sum towards the Exhibition of 1871; and, if not, whether any charge for this purpose on the ordinary Votes of Parliament will or can be made by any Department of the State?

THE CHANCELLOR OF THE EXCHEQUER: It is not, Sir, the intention of Her Majesty's Government to ask the House for a Vote of any sum towards the coming Exhibition. I cannot, of course, say what the Departments can or will do; but I do not believe any Department ought to apply its funds to such a purpose.

NAVY—WORKS AT CHATHAM DOCKYARD.—QUESTION.

MR. CAWLEY asked the Secretary to the Admiralty, Whether the "Amended Contract," directed to be prepared by Board Minute of March 17, 1869, and to be entered into with Mr. Gabrilli for the execution of works at Chatham Dockyard has been signed by the Contractor, and why a Copy of such Contract was not presented to this House on the 2nd August last, along with the Correspondence (Paper 412), in accordance with the promise given by the Junior Lord of the Admiralty on the 30th June; also, why Copies of the several Contracts made with Messrs. Foord, Messrs. Ball and Co., and with others for various works in connection with the extension of Chatham Dockyard have not been presented to this House as required by the Act 28 and 29 Vic. c. 51?

MR. BAXTER: Sir, a copy of the amended draft contract was presented, and forms part of the Correspondence laid on the Table of the House on the 2nd of August last; and though the conditions, specifications, and schedule were signed by the contractor on the 4th of June, 1870, and are alone a sufficient security for us, the continued absence of the contractor in Vienna, where he has extensive works in hand, has delayed our solicitor in obtaining his signature to the formal deed. I understand the contractor has now sent a power of attorney to his agent to sign for him. I may add that no delay or loss has arisen to the service from the non-signature of this deed. With regard to the second part of the Question of the hon. Member, I am advised that the contracts there alluded to, and of which some, if not all, were made by the late Government, were not entered into under the provisions of the Act quoted, and, therefore, it was not requisite by virtue of that Act to present them, they being contracts or agreements made under the ordinary authority of the Admiralty, and giving no special advantages to the contractors. There is, however, no possible objection, should the hon. Member wish it, to lay copies of these documents on the Table of the House. I would further wish to inform the hon. Member that the Return he proposes to move for to-morrow will be given.

NAVY—NAVAL RESERVE (SECOND CLASS).—QUESTION.

ADMIRAL ERSKINE asked the Secretary to the Admiralty, If he can state the number of Ordinary Seamen of the Merchant Service who have enrolled themselves in the Naval Reserve (Second Class) from its establishment to the present time?

MR. BAXTER: I regret to state that owing to circumstances which are, no doubt, known to my hon. and gallant Friend, but which it would be needless to explain to the House now, the Second

Class Naval Reserve has proved a failure, only nine men having enrolled themselves.

ARMY—MARRIED SUBALTERNS.

QUESTION.

Lord GARLIES asked the Secretary of State for War, Whether he will object to extending to married subalterns and all Regimental Staff officers the same indulgence already afforded to other married officers in respect to passages on board ship for a female servant, from which the former are at present excluded by Clause 136 of the Army Circular of 1870?

Mr. CARDWELL, in reply, said, the object of the Circular was to extend to those officers, who were entitled to have male servants kept at the public expense, the power of substituting female servants in certain cases. Subalterns were not allowed to have any servants at all.

ARMY RESERVE FUND.—QUESTION.

Mr. STAPLETON asked the Secretary of State for War, If there is any objection to lay upon the Table a Return of the Army Reserve Fund and the Guards' Reserve Fund, showing from whence they are derived and how applied?

Mr. CARDWELL said, in reply, he thought the Paper furnished that morning would provide his hon. Friend with the information he wished. If it did not, he would give him any further information he might desire.

FOREIGNERS SERVING IN OUR MERCHANT SERVICE.—QUESTION.

Sir JOHN HAY asked the President of the Board of Trade to state, If the 20,158 Foreign Seamen, mentioned in the Return presented on the 15th February, are Able Seamen; and, if so, to state the number of Foreigners in addition thereto serving in other capacities in the Merchant Service?

Mr. CHICHESTER FORTESCUE, in reply, said, the 20,158 foreign seamen mentioned in the Return included all foreigners serving in our merchant service, whether acting as seamen, or as cooks, stokers, &c. He could not discover that the Board of Trade had any information as to how many of the 20,158 were able seamen.

THE NEW PUBLIC OFFICES.

QUESTIONS.

Lord JOHN MANNERS asked the First Commissioner of Works, When it is intended to remove the block of houses between Parliament Street and King Street, facing the New Home and Colonial Offices?

Mr. AYRTON replied that a portion of the block to which the noble Lord referred was now occupied by public offices, which were very much needed, and the rest was occupied by special arrangement; so that the whole block could be pulled down when the new Home and Colonial Offices were erected. The back part of the block had been already pulled down to admit of the work being carried on. No object would be gained by pulling down the rest at present, and the pulling of it down would only exhibit the scaffolding and the workmen engaged in the erection of the new buildings.

Lord JOHN MANNERS asked whether Parliament Street would be widened?

Mr. AYRTON said, that Question involved another important question—namely, whether the Treasury or the public were to give up part of the land which had been purchased at the public expense for the purpose of widening a street. There was no Act of Parliament which directed any part to be so applied; but it was competent to the Government to do what was necessary to have adequate approaches to the Home and Colonial Offices. Those approaches would probably be best made by retaining the land in front of the new offices.

ITALY—THE PAPAL STATES.

QUESTION.

Mr. W. JOHNSTON asked the honourable Member for Longford, Whether, as stated in "The Belfast Daily Examiner" of the 27th ult., he has postponed his Motion concerning the "occupation by the Italian troops of the Papal States," in view of the "probable action" of "The National Assembly of France," in favour of the Papacy, and in consequence of a meeting held at Archbishop Manning's on the 23rd of February?

Mr. O'REILLY said, in reply to his hon. Friend, he would beg to read a statement which he made in his place in the House, on the occasion of postponing the Motion to which the question referred. He said that—

> "He did it in compliance with the urgent representation of many Irish Members that, the Papers having been delivered late on Thursday, it was impossible to study them by Friday afternoon; that many Irish Members being absent from town, could not be present on the day originally fixed for the discussion of the Motion."

With regard to the statement in a Belfast newspaper to which his hon. Friend referred, he had no opportunity of seeing any such statement, except that when he was listening to a debate in the House, his hon. Friend the Member for Belfast himself put in his hand what he stated to be a Belfast newspaper. He glanced at the newspaper, and saw enough of it to ascertain that it gave an inaccurate account of several private conversations, and gave rather a report of what might have been said, instead of what was said. He had given his reasons in his place in Parliament for the course he had taken, and he hoped his hon. Friend, and he was sure the House, would excuse him if he declined to give an account of private conversations in his own house or in the house of another.

TRADE MARKS.—QUESTION.

MR. P. A. TAYLOR asked the Under Secretary to the Board of Trade, If his attention has been called to the great inconvenience occasionally caused by the innocent infringement of Trade Marks; and if he does not think that it would be just to insist upon registration as an essential condition before any claim of damages for infringement of trade marks could be established?

MR. CHICHESTER FORTESCUE replied that he was not prepared to deny that inconveniences occurred in the way mentioned by the hon. Gentleman. That was a matter which deserved consideration. This Question, however, was put in a very abstract form, and was not very easy to answer. At the same time, he must remind the hon. Gentleman that a Bill, conceived very much in the spirit of his Question, was introduced three years ago by the late President of the Board of Trade, and he was informed that it met with a very cool reception in the House.

ARMY—FLEETWOOD BARRACKS.
QUESTION.

MR. EASTWICK asked the Secretary of State for War, If he will state why, when barracks at other places are overcrowded, those at Fleetwood are kept unoccupied?

MR. CARDWELL, in reply, said, he understood that it was intended to put a regiment in the Fleetwood Barracks, and the reason why they had not been occupied already was that it had not been decided what particular regiment should go there, and as it was undesirable to have two removes they had, consequently, remained empty.

THE HOUSE TAX AND LANDLORDS' INCOME TAX.—QUESTION.

MR. ALDERMAN LUSK asked Mr. Chancellor of the Exchequer, Whether it is true that the House Tax and Landlords' Income Tax are now being collected in some parts of the metropolis on the rating of the new Valuation Act, 32 and 33 Vic. c. 67, while by the 43rd section of that Act such rating does not come into force before 6th April, 1871?

THE CHANCELLOR OF THE EXCHEQUER said, in reply, that it was necessary to distinguish between valuation and personal rating. It was quite true that the Act did not come into force till the month of April; but it was upon the valuation that the assessment was made, such alterations being allowed as seemed good to the Commissioners. The new valuation had been made under the Act for the convenience of the taxpayers, and the Commissioners had allowed that valuation to be sent in as their valuation, and upon it they had made their assessment.

ARMY—LEAVE OF ABSENCE TO OFFICERS.—QUESTION.

MR. LEA asked the Secretary of State for War, Whether any officer in receipt of full pay and on active service can obtain leave of absence for several months at a time, in order to prosecute political objects; if so, whether such leave is granted by the Field Marshal Commanding-in-Chief, without consultation with the Secretary of State for War?

MR. CARDWELL: Sir, leave of absence, within the rules laid down by the Queen's regulations, is granted to officers by His Royal Highness the Field Marshal Commanding-in-Chief without reference to me. I do not know what my hon. Friend points to particularly. Members of this House who are in the Army obtain leave during the whole Session of Parliament. With regard to other officers desiring leave, the Commander-in-Chief is guided by considerations of the requirements of the service, and not by any reference to the political objects they may have in view.

IRELAND—STATE OF WESTMEATH.

QUESTIONS.

LORD CLAUD JOHN HAMILTON asked the First Lord of the Treasury, Whether it is true that the Grand Jury of Westmeath, on Thursday last, passed a resolution to the effect—

> "That the measures hitherto adopted by Her Majesty's Government for the suppression of agrarian and other crimes involving intimidation have proved wholly ineffective, and that an immediate remedy is urgently demanded for a state of things so truly described by the Chief Secretary for Ireland as 'intolerable;'"

whether Chief Justice Monaghan, in his charge to the said Grand Jury, described the state of affairs in that county as "going from bad to worse;" and, if it is correct that the resident magistrate at Trim, the assize town of Meath, informed Her Majesty's Judges he had received trustworthy information that they were to be attacked on their journey from Trim to Mullingar, the assize town of Westmeath; and whether he reported such information to Dublin Castle?

MR. GLADSTONE: Sir, I will give to the noble Lord the most accurate information in my power with reference to the three Questions he has put to me. With regard to the first, I have no authority in my possession with respect to the presentment of the Grand Jury or their resolution except a telegram which was sent to Her Majesty's Government; but, from what I have seen in the newspapers, I conclude that the telegram is textually a transcript of the substance of that document, a fact of which I was not aware during the debate. The quotation of the noble Lord is correct, with this exception—which is of some consequence—that it does not contain the words "wholly ineffective"—the expression used by the Grand Jury—but "wholly insufficient." That is the only point on which the noble Lord's quotation is not accurate. The telegram is quite at the noble Lord's service if he likes. With respect to the Charge of Chief Justice Monaghan, the noble Lord is doubtless aware that the Charge of the Chief Justice is not an official document—that there is no report of it which we should be justified in attempting to hold the Chief Justice bound by, in case a mistake had been made in the report. Still, a report of that Charge is in my hands, which I believe has been made with as much care as possible, and in that report, substantially corresponding with what the noble Lord has stated, the Chief Justice says—

> "When I was last here, gentlemen, the county was in an unsettled state, but I am bound to say that things are proceeding from bad to worse."

In answer to the third Question, as to the resident magistrate at Trim—

> "Whether it is correct that the resident magistrate at Trim, the assize town of Meath, informed Her Majesty's Judges he had received trustworthy information that they were to be attacked on their journey from Trim to Mullingar, the assize town of Westmeath; and whether he reported such information to Dublin Castle?"—

the resident magistrate made a report, I believe, to officers of Her Majesty's Government upon that subject, and stated that he had received information to the effect that the Judges were to be attacked on their journey from Trim to Mullingar. With regard to this being trustworthy information, I believe it to have been trustworthy so far as respects the character of the person from whom it was received. I particularly dwell on the phrase—"so far as concerns the character of the person from whom it was received." But with regard to its being trustworthy information in the sense of its being information with a great probable appearance of truth, I am bound to say we consider it was not trustworthy in that sense, because there were several indications in the report itself which appeared to show that it was not worthy of belief. Notwithstanding that, in consequence of the very fact of such a report having reached the Crown Solicitor, communication was made to Dublin Castle, and special precautions were taken upon the road by which the Judges proceeded, which, however, was not the route indicated in the report.

The Charge of the Chief Justice may be examined by the noble Lord if he desires it.

NAVY—"MEGÆRA."—QUESTION.

Mr. KAVANAGH asked the First Lord of the Admiralty or, in his absence, the Secretary to the Admiralty, Whether it is true that Her Majesty's transport ship "Megæra" has just been commissioned to take out to Sydney 33 officers and 350 men, with several hundred tons of stores, whereas she is only qualified to carry 14 officers and 220 men; that half the officers' mess gear is on deck from want of stowage room; that she is moreover in an unseaworthy condition, leaking from stem to stern, and that notwithstanding the distinct assurance of her commander that the ship was not ready for sea, the Admiral told him "he must go, as he had orders to send him off?"

Mr. BAXTER: It is true, Sir, that Her Majesty's ship *Megæra* was commissioned to take out to Australia 33 officers and 350 men (inclusive of her own complement), with 400 tons of cargo. It is not true that she was only calculated to carry 14 officers and 220 men; on the contrary, she has taken to the Cape 22 officers, 425 men, 26 women, and 56 children, in addition to her own crew; and from Jamaica to Cape Coast Castle 18 officers, 400 men, 12 women, and 12 children, also exclusive of her complement. She has also frequently carried over 400 tons of cargo. There is not a word of truth in the statement that she is unseaworthy and leaking from stem to stern, nor in the further statement that the men had twice protested against going to sea. With respect to the accommodation of the officers, I have to state to the House that I have this morning seen Vice Admiral Elliott, Commander-in-Chief at Sheerness, who authorizes me to say that, in his opinion, it was amply sufficient. Regarding what passed at Plymouth between Admiral Codrington and Captain Thrupp, I prefer quoting the account of the conversation given by the Admiral himself, and received at Whitehall to-day—

> "After dusk Captain Thrupp again came to me from the *Megæra* and asked if the ship might wait till next day (Sunday) morning. As he acknowledged having received the stores I had ordered for the ship's use, I inquired his reasons for remaining, as there was a fine, fair wind for the ship. He said that the ship's decks were lumbered up with casks and packages which had not yet been stowed away. It appeared that they were not public stores, but provisions, &c., for the mess of the officers. Considering that after fitting out for the eastward the ship had been two days in this port, it appeared to me that the officers might have procured and stowed away their own sea stock before then, and as it could not take half an hour's attention on their part to do it now, I did not see sufficient reason to authorize the *Megæra* remaining another day. I told Captain Thrupp that if the weather was bad, or the wind from the south-west, I knew the Admiralty would not wish him to go to sea; but that as the weather was fine, and a nice fair wind blowing, I did not think the Admiralty would be pleased if, without any defects to be taken in hand, he remained another day in the Sound, as it was a great object for the *Megæra* to get clear out of the Channel. I may add that I did not give Captain Thrupp any order to sail on that evening, though I certainly advised him as I stated above."

What really caused the inconvenience and discomfort was the very large quantity of private baggage and stores belonging to the officers and men taken in at Sheerness and Plymouth after the ship had completed her loading, and for which sufficient allowance had not been made. The condition of some of the main-deck ports, moreover, seems to have been imperfect, and in consequence the water washed from side to side, wetting the things which had not been stowed away. As to the real condition of the ship, her readiness to go to sea, &c., perhaps the House would like to hear me read two or three sentences from a letter dated Saturday, from Rear Admiral Forbes, at Queenstown—

> "I have to report that, in compliance with their Lordships' directions by telegraph, of yesterday, which I found on my return to Queenstown, I have carefully inspected the *Megæra* this morning, and have already telegraphed to their Lordships my opinion that the ship is fit for the service on which she is employed. . . . All the decks are much lumbered; but she is very ill-stowed, and much clearance may be made when this is better done. . . . The ports are now mended and re-lined, and new ones placed where necessary. The main deck is also inconveniently crowded for sleeping; by clearing out the troop deck below as suggested, many men now berthed above may be berthed there. . . The result of my inspection is that the *Megæra* has been inconveniently crowded with cargo, considering the quantity of stores and effects accompanying the officers and men she takes out; that landing about 100 tons weight would rid her of this evil; and that the officers taking passage have also been crowded considering the length of the voyage. If the number of them were reduced by four the remainder would also be relieved."

Orders have been sent to Queenstown accordingly.

CLERKS OF CONVICT PRISONS.

QUESTION.

COLONEL GILPIN asked the Secretary to the Treasury, Whether the sum of £450, voted in the Civil Service Estimates 1869-70 and 1870-71, for increasing the pay of the Clerks in Convict Prisons, has been disbursed as voted; if not, what has become of it?

MR. STANSFELD said, in reply, that the sum of £450 for increasing the pay of the clerks in the convict prisons had been inserted in the Estimates of 1869-70, but was not required or expended in that year. It was also asked for in 1870-1 by an error. The result was that, as in 1869-70, the amount would be returned to the Exchequer.

EDUCATION—NATIONAL SCHOOL ENDOWMENTS.—QUESTION.

MR. CORRANCE asked the Vice President of the Council, Whether Clause 32, a. 1, Excess of Grant over School Fees, &c. does exclude endowments or like receipts from other sources than those specified—namely, subscriptions and payments from a School Board?

MR. W. E. FORSTER replied, that the sums which could be written against the Government grants were confined to school fees and voluntary contributions. He might, however, remind the hon. Gentleman that whereas, under the old Code, a reduction was made in the grant on account of the endowment, under the new Code there was no such reduction.

MUSIC HALLS.—QUESTION.

MR. OSBORNE asked the Secretary of State for the Home Department, Why the music halls in London are allowed to give entertainments on Ash Wednesday whilst all theatres within the Metropolitan district are compelled to close their houses for theatrical representations on that day; and, further to ask, if he will take steps to place music halls and theatres on the same footing?

MR. BRUCE, in reply, said, there was no difference. Music-halls, as well as theatres, were forbidden to be opened on Christmas Day, Good Friday, and Ash Wednesday.

ARMY—DOUBLE COMMISSIONS.

QUESTION.

MR. DENT asked the Secretary of State for War, Whether he is aware that several Officers on full pay in Her Majesty's Regular Forces, as well as some Colonels in the Volunteer Service, also hold Commissions in the Yeomanry Cavalry; and, whether the restriction that no Commanding Officer of Volunteers shall hold at the same time two Commissions, or, if he does, one of them must be of a purely honorary character, is applicable also to the holding of Commissions in the Yeomanry Cavalry as well as the Volunteers?

MR. CARDWELL was understood to say that some time since the practice of issuing two commissions to the same officers had been discontinued, and it was intended, within a very short time, to require officers who held two commissions to elect between them.

EMIGRATION—THE CIRCULAR DESPATCH.—QUESTION.

MR. MACFIE asked the Under Secretary of State for the Colonies, Whether Answers have been received from the Colonies to the Circular Despatch, dated 14th February 1870, as to Emigration; and if he intends to lay these Answers upon the Table of the House?

MR. KNATCHBULL-HUGESSEN said, in reply, that answers had been received from all the Colonies to the Circular in question; they had been forwarded to the Emigration Commissioners for their Report, which Report, giving a summary of their contents, he would lay on the Table, and if the hon. Gentleman would communicate with him he would consider whether it would be desirable to print any of the answers *in extenso*.

EDUCATION—SCHOOL ATTENDANCES.

QUESTIONS.

MR. ASSHETON CROSS asked the Vice President of the Council, Whether he has any objection to alter the Revised Code, Article 19, so as to render it unnecessary that the 250 attendances should all be at the same school in any case where it be proved to the satisfaction of the Council that a scholar has attended more schools than one in consequence of the bonâ fide removal of his parents?

Mr. W. E. FORSTER, in reply, said, he had very attentively considered the question; but the Department would feel it almost impossible to make the change. He thought he could convince the hon. Gentleman that it would be out of their power to make any arrangement by which the attendance of the scholar, if transferred from one school to another, could be taken into account. There were two difficulties in the way. In the first place, although it was very much to the credit of English managers and schoolmasters that they could be relied upon, yet in some cases there was necessity for inquiries which would be made more difficult by this proposition. And then it would be exceedingly hard to know how to apportion the grants between the schools. Besides this, a possible change of school was considered in making the grant, and an increase of 50 per cent was given in consequence for 250 attendances. It would be necessary to re-consider the money grant if the number of attendances was diminished.

Mr. GATHORNE HARDY asked, When the Returns which he had moved for on this subject will be circulated; and whether care will not be taken that the Revised Code shall not come into full operation until this question has been discussed?

Mr. W. E. FORSTER replied, that the Returns had left the Department the very morning after the right hon. Gentleman had moved for them, and they would be circulated as soon as possible. With regard to the second part of the Question, the Act of Parliament clearly laid down that one month was the time required for the Code to lie on the Table before it should be regarded as approved. Personally, he would be glad of an opportunity of explaining any portions of the Code, and as two or three points would be raised to-morrow he trusted he would then have that opportunity.

IRELAND—GRAND JURY OF WESTMEATH.—QUESTION.

Lord JOHN MANNERS said, as the Chief Secretary for Ireland was not in his place, he would put to the Prime Minister the Question he had intended to ask of the noble Marquess. He wished to know, Whether the right hon. Gentleman will lay upon the Table a Copy of the Resolution of the Grand Jury of Westmeath at the present Assizes; and, whether it is the intention of the Government to comply with their request for the application of an immediate remedy to a state of things which the Grand Jury agree with him in describing as intolerable?

Mr. GLADSTONE: With regard, Sir, to laying on the Table the resolution come to by the Grand Jury of the county of Westmeath during the present Assizes, I presume that resolution is an official document, and I therefore see no difficulty whatsoever in its being laid on the Table. As to the intention of the Government to apply immediate remedies to the evils existing in that county, undoubtedly the Government have taken, and will continue to take, the course which they deem to be best calculated to bring about there a sound and satisfactory state of things.

METROPOLIS—CAB FARES.—QUESTION.

Mr. EYKYN asked the right hon. Gentleman the Secretary of State for the Home Department, with reference to a decision given in the Westminster Police Court with respect to Cab Fares, to which he had already called his attention, Whether he is prepared to take any steps during the present Session to render more clear the position of the public and the cabowners in connection with those fares?

Mr. BRUCE replied that on the following or the next day amended regulations dealing with the subject would appear. He might also take that opportunity of stating that, inasmuch as he considered what was called the free trade experiment had already been sufficiently tried, and he was bound to say with no substantial success, he thought it would be convenient that the fares should now be fixed. He proposed, therefore, to fix them at the rate at which, with a very few exceptions, they had been fixed by the free action of cabowners themselves. A few experiments had been tried at somewhat higher fares with a better class of vehicles; but the public had given but little encouragement to those experiments, and the old fares had to be resorted to—that was to say, 2*s*. per hour in the case of the ordinary four-wheeled cab, and 6*d*. per mile, subject, of course, to the arrangement with respect to the first two miles which had been some time in operation; and in the case of Hansom cabs 2*s.* 6*d.* per hour and 6*d.* per mile. He felt bound to add that he expected there would have been more enterprize on the part of the cabowners, and more encouragement given on the part of the public. He wished to take that opportunity of stating that, so far as he and the police were concerned, everything had been done to fulfil the promise which had been made to the House—that all cabs should be removed from stands which were not considered to come up to the proper standard. He had not in his hand the Return of the number of cabs which had been struck off last year; but he believed, including Hansoms and four-wheelers, it amounted to above 1,500.

ARMY REGULATION BILL—[BILL 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Cardwell.*)

COLONEL LOYD LINDSAY, in rising to move, as an Amendment—

> "That, in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army,"

said, the Bill for the Army Regulations, which was explained to the House on Thursday, the 16th of February, was so large in its scope, and so extended in its character, dealing radically (and by that he meant extending to root and branch) with the interests of the Army, from the Commander-in-Chief down to the lowest private soldier, and to the recruits who have not yet even attained to that rank, that anyone with less power of lucid exposition than the right hon. Gentleman who introduced the Bill might well shrink from dealing with the whole subject in a single speech. Feeling, therefore, the difficulty and the inconvenience of having all the questions of the Bill mixed up together in one debate, he had, with great diffidence, given Notice of the Amendment which stood in his name, in order that the most important point of the Bill—the abolition of purchase—might be discussed separately, and that the opinion of the House might be taken upon it. The question of purchase was not a party question. All Army matters, in his opinion, and also in that of the House, were not party questions; and now that the House of Commons was exercising more and more influence upon Army affairs, it was absolutely necessary for the welfare of the Army that party considerations should be excluded. As one who had belonged to the military profession he desired to pay his acknowledgments to the right hon. Gentleman (Mr. Cardwell) for the liberal and just conclusion he had come to—namely, that the full amount which officers had paid for their commissions should be returned to them. Recognizing the justice with which the Government had approached the subject, and their wish to act fairly and honourably towards the officers of the Army, he felt certain that they would find themselves engaged in an expenditure of money far larger than they now anticipated. The cost of compensating officers in full he estimated at £12,000,000. He had the calculations at hand, but he would not trouble the House with them. They were founded on what was officially set forth as the price of commissions in 1856. A large portion of that sum—namely, £5,000,000 or £6,000,000—ought to be paid back to officers at once, in order to avoid the injustice of having officers in the same rank serving with different rates of pay, and because the conditions of the service had been altered. They would no longer be the same as when the men paid their money. Again, an adequate and liberal system of full-pay retirement would have to be provided, in order to give the same amount of promotion which was provided for under the present system. In the calculations he had made he found that for a retiring system in the Royal Artillery £500,000 a-year would be required for that one item. Lastly, in order to reap any advantage from the change it would be necessary to revise the whole scale of pay and allowances to officers. In framing new regulations for the Army, as the Government were now doing, it was first of all necessary to ascertain the weak points—to find out what was amiss, and what required to be put right. Now, the universal opinion—and he believed everybody would acknowledge it to be the truth — was, that the point where the Army failed was that it was not well put together; but however well it might answer in detail, it was not one joint machine which worked harmoniously and satisfactorily together. The best example we could have of such a well-organized Army was the North German Army, in which there was no less than eight Crowned Heads and Royal Princes, all holding separate and supreme commands. It was difficult to suppose that they were all men of marked military genius or talent, and we must, therefore, conclude that the regulations of the Army were so perfect as to render it independent of what a less perfect and complete organization would require. A force could only be properly called an Army when it was bound together by an organization consisting of staff, commissariat, transport, and medical departments; and although we might possess the separate parts of an Army in perfection, unless they were bound together by an efficient organization, all the splendid material which we had would be useless and unavailable. The Bill, while it called for this vast expenditure, left us no better in this respect than before. There existed a strong conviction that this Army Service organization—which was now called the Control—was quite insufficient, and might prove inefficient. There was a belief that it was both, and bearing in mind the lesson learnt in the Crimea, when there was a complete collapse of this department, and our Army was left to starve at a distance of only seven miles from its base of operations, we could not wonder at the feeling which existed on this point. This feeling would certainly continue to exist until the Control department were proved to work well. Such practical proof could only be obtained by putting 30,000 or 40,000 men into camp, and throwing them absolutely on their own resources; not at Aldershot, where, from constant repetition, everything became mechanical, but in some open country, where cavalry, artillery, and infantry could be manœuvred in line, taking up fresh positions, and changing their ground every day. In this way the Staff might learn their duty, which, owing to ill-judged parsimony, they had hitherto never had an opportunity of learning in the field—the only place where it could properly be learnt. The benefit of thus learning it was enormous, and the cost trivial when compared with what it was now proposed to do. The Prussians, a remarkably economical nation, yet thought it worth their while to spend £75,000 a-year on their camps of instruction, and the advantage derived from them had been shown in the perfect harmony with which the whole machinery of their Army worked in actual warfare. Real extravagance it was, indeed, after spending millions, to grudge the last thousands which were required for the final completion of the work. Infinite pains had always been taken by us, and with complete success, to render perfect the several separate branches of the service—the artillery, cavalry, and infantry, and whenever you examined them in detail, whether by regiments, by troops, by companies, or by batteries, you would find them nothing less than first-rate. If you saw them in the field, if you examined their interior economy—by that he meant the relations which existed between the officers and the men—you would find them equally good and satisfactory. Physically, our soldiers were men superior to any men in any Army in the world, and if you look at them morally, in their disposition to obey their officers with readiness and alacrity, or to obey the laws of the country, you will find no Army like the English Army. The regimental system had never failed in the English Army, and nowhere was it more severely tried than in the Crimea. General Trochu bore testimony that—

> "L'infanterie Anglaise est la plus redoutable de l'Europe. Heureusement il n'y en a pas beaucoup. Et c'est une opinion que des observations personnelles, impartiales, faites au milieu de l'armée Anglaise pendant la guerre, ont depuis confirmé dans mon esprit."

Where could you find more valuable evidence than this—given by an impartial observer, who watched the English Army during the time of its greatest trials and disasters? The English cavalry and artillery were as good as the infantry, if taken separately or examined by themselves; but General Trochu would never have gone on to say that we knew how to combine these forces together by a Staff organization of transport and commissariat. That was precisely the point in which we failed, and it was precisely the point where the Bill before the House proposed to do nothing, while it called for an expenditure of

£12,000,000 to remedy that which was admitted to be the best feature in our system. The regimental system was good because it was founded on sound principles. The men who joined the Army did so because they believed themselves more fitted for the Army than for civil life. Therefore, the civil community was not, to any great extent, injured by the standing Army. Some would even say that it was improved by it, because you took away from it men who, if left without military discipline, might become idle and unprofitable, and even worse. It was, of course, not the duty of Government to provide employment for people; but it was their duty to allow the various qualities of all men to be usefully employed, whether these qualities lay in the direction of roving, restless activity, or quiet and patient industry; the first of these qualities fitted men for the Army, the latter for civil life. And here he would say a word about competitive examinations, which were already very numerous, but which the new regulations for the Army would increase to a most alarming extent. There were qualities required in an officer which no examiner could ever bring to light, but which a skilful general in the field would know well how to discover, and turn to the best possible account for the good of the service. But by testing all men by one uniform standard of bookwork examination we ran the risk of shutting out the very men we should endeavour to bring into the service. He had said that the private soldiers joined the Army because they liked it. The same thing applied to the officers. They also joined the Army because they liked it, and they were so anxious to serve their Queen and country that they were ready to pay down a large sum of money on entering the Army, and to add to that sum at each successive step in rank, up to the grade of general, which was acquired without purchase, but which, when once obtained, gave better pay, especially when they were employed, but which entailed forfeiture of all previously deposited money. The system might be explained by question and answer — "Why do officers leave the Army before becoming generals?" "Because when once that step is taken their purchase money is forfeited." Again—"Why do the best officers remain, and forfeit their money?" "Because they know that they will be employed as generals, and will receive the extra pay." "Why do the least good officers leave the Army before they become generals?" "Because they know that they will not be employed, and will only get ordinary general's pay." Here, then, you had an excellent system of self-supporting retirement, to replace which you would have to provide £500,000 a-year—calculating this on the scale of retirement for the Artillery. This expenditure would then bring the other branches of the service to the position of the Royal Artillery and Engineers—a position so unsatisfactory that the Committee appointed by the right hon. Gentleman himself, reported that "both these corps are gradually approaching a state which may seriously affect their efficiency." It was now proposed, at a cost of £8,000,000 or £12,000,000, to place the rest of the Army in the very difficulty which the Government were at their wits' end to know how to get out of in the non-purchase corps—namely, stagnation from want of promotion. In the *Army List* it would be found that the first 19 lieutenants in the Royal Artillery had each seen 14 years' service. They entered about the age of 20. You have, therefore, subaltern officers of 34 years of age serving in the Artillery without the smallest hope of being promoted to a battery. The importance of having young officers for regimental service could not be over-estimated, and if the right hon. Gentleman were to give the Army the greatest scholars in Christendom for officers they would not be equal to those men of ordinary attainment who had the benefit of youth on their side. Here was an instance of the character of this Bill, which, in his opinion, was complete for destruction, and most incomplete for construction and re-organization. He wished to call the attention of the House to another matter. The number of men who were candidates for entering the Army far exceeded the number of commissions to be given. The result, therefore, was that the country had the command and pick of the market. During the last 20 years the authorities had been continually requiring more and more from the officers. They were examined on first entering, and again at each successive step in rank, and they were told that in spite of all their purchase money they should not move up unless they passed those examinations satisfactorily, and then only each in his turn. There were required from them more professional knowledge, closer attendance at duty, and a greater sacrifice of liberty. The reins of discipline being thus drawn tighter than at any former period, so far from having checked the number of men who wished to join regiments, it was found that the number had even increased. The average number of commissions which the Commander-in-Chief had to dispose of was 300 in a year. There were at that moment 500 young men who had passed their examination, and were waiting to enter the service, and yet the Commander-in-Chief most wisely checked men as much as possible from going up to be examined till there were commissions vacant for them. To show how large was the reservoir from which the supply of officers was drawn he would mention this fact, that during the last six months 225 young gentleman had been allowed to note their names to enter the Army; but so little was the chance of an adequate number of vacancies occurring for years to come that no one over the age of 14 was allowed to enter his name. And a curious fact remained to be told —namely, that the regiments which were the strictest, and had a reputation for being thoroughly efficient, were those which were most sought for in the service. Now, opponents to the purchase system might argue as much as they liked about inefficiency of officers, but they could not get over that fact. The more that was exacted professionally from the officers the more anxious they were to come into the service. It was the fault of the Government, therefore, if officers were inefficient. But he denied the fact of their inefficiency, and he would presently prove that they were, on the contrary, most efficient. The only well-sustained charge against the officers was that they looked too much like gentlemen. There was a grave suspicion that they came from the aristocratic classes of the country; but this, like most suspicions, was by no means founded on fact. They came from all classes. There was no special caste in the Army. That they behaved like gentlemen might be inferred from the fact that the Queen's Commission, even to an ensign, was a passport to the best society—intellectual or social. There existed in England the largest leisure class of any country in the world. Men rose every year by thousands to the rank of what is commonly termed and accepted as gentlemen. There were professions without end which led a man up to this position in life, and with education and some affluence a man was soon supposed to belong to the aristocratic classes. The sons of these men might not have the same tastes, and perhaps not the abilities, of their fathers, and might not follow them in their vocation; but there was a profession open to them, and, indeed, to all men of moderate means—a profession honourable in itself, and in which for those who succeeded there were honours and rewards which far exceeded anything which money could procure. For those who failed there was the consolation that they, too, would have succeeded had the same opportunities fortunately come to them; and for all, the feeling that they belonged to a profession which stamped a man a gentleman—a profession in which there was a fair field and no favour; in which a man, if he fulfilled the conditions of the service, was as certain to rise as that the sun itself will rise—a profession in which he need seek no man's favour or protection; need not bow before his commanding officer or induce his friends to hang about the lobbies of the Commander-in-Chief, or, worse still, to intrigue among political Members in this House. It was now proposed to alter all this, and to substitute for it a system of pure selection, which meant favouritism, while they were told that such a system could not and would not work. This was done in spite of the advice of the Commander-in-Chief, who gave it as his opinion that the plan would not work, and in spite of the noble Marquess, formerly Secretary of State for War (the Marquess of Hartington), who said in 1867 that under the condition of things existing in the House of Commons, "the system of selection was impossible," and in the face of the practical experience of almost every officer in the Army. The Secretary of State had said that there was a danger of falling back. Now, there was a danger which the House must be very circumspect if they expected to escape from it. The moment they extinguished purchase it cropped up again. When a man had money he was certain to use it for his own advantage. In the non-purchase regiments which they had created within the last 10 years, the system was as completely established as in any other. The system had grown up in the Indian service, where it was recognized and worked well; but, unfortunately, it did not advance promotion so rapidly. The Secretary for War said, in order to prevent that, they must exercise a great deal of secresy; they must have confidential reports; they must have accurate information as to the character of every officer; they must know his moral behaviour; and, in addition to that, they must have penalties to prevent corruption and the same system which once prevailed in the Parliamentary history. The right hon. Gentleman said they would never know a successor until his predecessor had left the service. Now by that system they would destroy one of the best features of the service—namely, a feeling of confidence that, serve where men might, in the most distant part of the globe, or under the eyes of the Commander-in-Chief, whether they served brilliantly before the enemy or quietly at some out-of-the-way station, their regimental promotion yet went on steadily. It was not fair to say that because a man had had the good fortune to see service before an enemy he was, therefore, to be advanced regimentally before those who had not been equally fortunate. And yet that was the popular view of the case. He wished hon. Gentlemen on both sides of the House would look into the system of selection, which would entail nothing less than destruction on the service. He wished to fortify the House with the opinion of some eminent men as to the character of our officers, and of the system which established the relations which existed between them and the men. Sir John Burgoyne, who had the largest experience of the English Army of any man alive, said, writing on the 12th of February, 1871—

> "I would venture to assert that no Army in the world is better officered regimentally than that of Great Britain, and that in no respect would the abandonment of the purchase system tend to improve it. The impression that in proportion to the means possessed by an officer he can, by purchase, obtain promotion over the heads of his brother officers, is an error. No officer obtains promotion by purchase without it being certified that he is worthy of it."

That sentence of Field Marshal Burgoyne ought to be published in every newspaper in the kingdom, and he was not sure that he should not have it advertised daily in the papers. The public were in great ignorance on this subject. They ought to know that it was the law of the Army that no officer was promoted without being properly certified. He did complain of Members of that House, who had taken advantage of the ignorance of the public out-of-doors to represent the officers as inefficient, and the purchase system as very different from what it really was. The public were about to pay an immense sum to remedy an imaginary evil, and he was certain if they understood the matter properly they would never sanction the proceedings of the Government with respect to this Bill. That was not only an imaginary evil, but they were doing away with a system which had worked admirably, and substituting another which would not work so well. He would now quote what was said by a French Marshal when he came to see the English Army, in combination with the Army of his own country, in the Crimea. He was at the head of an Army whose officers rose from the ranks, and who were in consequence always associated on equal terms with the men whom it was their business to command, and he contrasted that Army with one whose officers only in exceptional cases rose from the ranks, and where the system of purchase prevailed. He saw in the one Army that the officers were zealous, painstaking, and constantly anxious for the welfare of their men, and the consequence was that the men, seeing the deep interest which their officers took in them, obeyed them with alacrity, and executed the orders given them with steadiness and zeal. On the other hand, from constant familiarity there was an absence of respect on the part of the men for their officers, and the French Marshal said to Lord Raglan—"Whatever you do, take my advice, and never alter the system which establishes the relations now existing between the officers and men in your Army." When we remembered how continually the superior French officers warned us about this, we could not now fail to understand and see that thoughtful men among them saw signs before them of that collapse of their regimental and Army system, and of the good relations existing between the officers and men which had occurred in the recent war, where officers had failed to lead, and men refused to follow. Respecting and admiring the French Army as he had always done, he sincerely grieved at the calamities which had befallen that brave nation. An event occurred in the Crimea, the history of which was familiar to every Member in the House. He was a spectator of the charge of the Light Cavalry Brigade along the valley of Balaklava. Four armies witnessed that deed of chivalry, and when the Crimea was forgotten that deed would be still remembered, because it was a deed of self-devotion and discipline unequalled in history. Into the very heart and centre of the Russian Army those cavalry regiments carried their swords, and cut down the enemy at their guns. The French exclaimed—*C'est magnifique, mais ce n'est pas la guerre.* These were thought wise words at the time, but they were not wise. For it was magnificent, and it was war, and war in its finest aspect; for it displayed true courage, which consists in this—confidence and reliance between man and man, between regiment and regiment. One will actuated the whole of that armed force, and no man doubted what his neighbour would do. It was an act to inspire a nation to turn soldiers, and had there been anything so magnicent in the war between France and Prussia, our old allies the French would not now have to deplore the loss of their country. He would now quote the Duke of Wellington. The Duke of Wellington knew the value of his officers.

> "Nothing," he thought, "could surpass, or, indeed, equal, the British troops in the field. The sense of honour among officers existed in no other service to the same degree. He felt always confident when he put a detachment into a post, that they would maintain it against any force until they dropped."

This passage occurred in Lord Palmerston's *Tour to Paris in* 1815. Now, from that day to this there had been no falling off in the British officers. They were as good now as they were then. It had been the custom of opponents to the purchase system to found their arguments in favour of its abolition upon the alleged inefficiency of the officers of the Army. It had been his object in the course of his remarks to give to the House the testimony of eminent men who held very different views from those which had found favour with the uninstructed people out-of-doors, and he hoped he had succeeded through those quotations in vindicating the Army from the charge brought against it by the Member for the Border Burghs (Mr. Trevelyan), who said that it was a system in which efficiency was sacrificed to idle show. One more quotation he would give, because it bore directly upon the purchase system. The words quoted were those of *The Times*' Correspondent, Dr. Russell, written on February 24. He said, speaking of General Blumenthal, that not only was he—

> "In favour of a well-regulated system of purchase, which he considered had worked wonderfully well in the British Army, but that he would gladly see it introduced into the Prussian Army, if it were possible, and regretted that it was not so, in consequence of its composition."

Dr. Russell, himself a high authority on Army matters, for he had seen the armies of every nation in Europe and America in the field, went on as follows:—

> "General Blumenthal is one of the few officers in foreign armies who understands the question, though there are more in those armies who understand it than there are Members in the House of Commons who equally appreciate its merits and bearing."

He trusted he had avoided all indication of party feeling in the remarks which he had made in support of his Amendment. He had shown that that which they propose to alter, at an enormous cost, was the very part of our military system which should be carefully preserved. The system of selection of officers was not so good as the system of rejection which was now possessed, and which might be more freely used. He had shown that we had admirable materials, but did not know how to use them, and we were going ignorantly to make a great change which we had not sufficiently considered or weighed. This country might well and properly expend any amount of money in making itself secure, and maintaining a feeling of honourable security and tranquillity. But he held it to be the bounden duty of Members in the House to remonstrate to the utmost of their power against acts of mistaken and mischievous extravagance. The hon. and gallant Gentleman concluded by moving his Amendment.

COLONEL WHITE: I rise with extreme humility to second the Motion of my hon. and gallant Friend. Knowing, as I do, the extreme ability and energy of her Majesty's Government, I regret to find myself obliged to take an active part in opposition to them, especially on a question like this, on which I know all their energy and ability has been signally brought to bear. But I feel I should be wanting in the commonest honesty and courage if I did not express my opinion that, great and talented as they are, Her Majesty's Government have, on this question, condescended to regard the most colossal interest that could affect the nation as secondary to their own party interests. Hon. Members should bear in mind, and perpetually repeat to themselves the questions—What is the meaning of this Bill? Why do we discuss it? For this reason—It means that, in consequence of recent events abroad Englishmen have been rudely and suddenly awakened to the awful fact that their country has been, and still is, in a position of danger—that while other nations have been active and awake, we, in a military sense, have been slothful and asleep—lulled, in all probability, by what one must almost begin to think was too long a period of uninterrupted prosperity. This country is in a position of danger, because I assume that any country which is, practically, totally undefended, is in danger. Now, how have Her Majesty's Government approached the fact? Have they come forward eagerly and readily, as they ought to have done, being fully alive to the emergency? Have they said to the country—"Rely on us; do your duty, and we will do ours, and replace England in the position from which she never ought to have stirred?" No, they have done nothing of this sort; but they have faltered, and hesitated, and looked behind them, and they have studied their majority, their opinions, their prejudices, and their party interests more than they have studied the vital interests of England. I think, at the same time, however, that they have shown extreme courage. It was most courageous in the right hon. Gentleman to come down to the House, as he did the other night, and propose a Vote of £8,000,000, as he put it, but more likely to be £14,000,000 before all was done with—I will call it £10,000,000, and throw it into the lap of the hon. Member for the Border Burghs (Mr. Trevelyan). With £10,000,000, what might not have been done to organize such a system of defence throughout the land as would make future generations look back to 1871, and its reforms, as the time and the work from whence England's perfect security dated! And yet they propose to waste that enormous sum by laying it at the feet of the hon. Member for the Border Burghs. Truly that hon. Gentleman may congratulate himself with all justice upon being by far the most successful man of the day. The question of the abolition of purchase has been, I believe, a hobby of his, and of his honoured and talented father before him, for many years. In point of fact, it has been a family mania, and it is now proposed that we should devote some £10,000,000 to the furtherance of that mania. In the face of the greater and more important demands of this country for a generous outlay, the question of the abolition of purchase is of secondary importance. It is a minor detail, to be dealt with or left alone as the wisdom of Parliament and the country may decide; but that it should be regarded as the solution of England's difficulties appears altogether incredible. What is the question of purchase? I do not wish to be misunderstood: I do not stand here as a defender of the system of purchase in the abstract; but I do stand here to protest against this outlay for this purpose at this time. I grant that purchase may be said to be a great anomaly; but I think the good will outweigh the evil. Half of the objections against the purchase system are objections of a sentimental nature, and I believe the House will be prepared to admit that sentimental grievances are very often the worst under which people can labour. It is objected, as my hon. Friend said just now, with partial truth, that the profession of a soldier is closed to all except the wealthy classes, and that, in consequence, a feeling of discontent and ill-will has sprung up throughout the country. If such a feeling has sprung up I admit it to be an evil. Again, it is objected that a soldier is trained to face death, and he should never be called on to face death with a consciousness that his death may either ruin or impoverish his wife and children. There is some force in that objection certainly; but I am not at all aware that it ever prevented an English officer from doing his duty. Again, it is objected that the rank and position of an officer should never be degraded by being made a subject of sale and barter. That, I contend, is purely a sentimental objection. Lastly, it is objected that an incompetent man, and a wealthy man, may obtain superior rank over his more competent but more needy brother officer. But have you no good word to say for the purchase system? Is there nothing to be said in its defence? Having had some 15 years' experience of its working myself, I can say for one that there is much to be urged in its favour. Denounce it as hon. Gentlemen may at Birmingham, Manchester, and elsewhere, it has officered our Army for centuries with a class of men who have made the term "an English officer" and "a gentleman" to be synonymous, and to be understood all over the world. It has officered our armies for centuries with a class of men, whom, though you will not believe it—we soldiers know it—the British soldier as at present constituted prefers to obey willingly, to serve cheerfully, and to follow devotedly. The British officer belongs to a class who have led the armies of England—as I very much doubt their successors will lead them—to a class whose memory defies you to dare to detract either from their character or efficiency. There are two points in connection with this subject upon which I would especially wish to touch. The first is that which relates to selection. The right hon. Gentleman had mentioned the matter the other night; but I would desire to have some more definite explanation from the right hon. Gentleman of the point than he has yet given. The right hon. Gentleman has thrown down a challenge to the House to prove that it is possible to reorganize the Army of England until the system of purchase has been abolished. I now beg to throw down a counter challenge to the right hon. Gentleman, and I defy him, or anyone else, to carry out the principle of selection with adything like satisfaction to the country. I should like to know upon what basis the right hon. Gentleman founds this system of selection. Is it to be an exaggeration of that most pernicious and unpopular and un-English system of secret reporting, than which I know nothing so malevolent and so disliked among officers of all grades? If so, I can tell the right hon. Gentleman he will strike a vital blow at the position and character of the officers of the English Army. Nay, it must be so, because it would change them from what they are now—manly, generous, and open—into sycophants, fawners, and time-servers. I know the case of a subaltern who got all his hunting leave because he scrupulously supplied his colonel's wife every morning with hot-house flowers. That applies closely to the case in point. I defy any man, not in out-quarters where, as we all know, society moves in such an extremely limited range—not to be affected with serious dislikes, prejudices, or favours. It is impossible that he should not be, and the result would be that in all probability a man who would be an efficient and good officer under one colonel, and who did not succeed in being so under another, would have by this system of secret reporting, the whole of his future prospects blighted, and his character and profession destroyed. The right hon. Gentleman said the other day, that when a man got a hint that he was not to be promoted he would understand that he was not wanted; but I say that that would cast a slight upon his character as well as his professional reputation. The right hon. Gentleman has declined to impose compulsory service upon the country at large, he is too meally-mouthed for that; but he does not shrink from imposing it upon the officers. Supposing three years hence I should wish to sell out, should I not be liable, under the right hon. Gentleman's system, to be told that whereas there then were 250 applicants for permission to sell out, only 200 were to be allowed to do so; and would not that be compulsory service on my part? The right hon. Gentleman told us the other night that the Government declined to introduce the system of compulsory service, because it would be distasteful to the country and altogether objectionable; but he told us, in the same breath, that the Government proposed to empower the Sovereign, under certain circumstances, to make use of compulsory service. It is not difficult to imagine a case. There is a cloud even now in the East of which we may feel the effects in time. It is not an exaggeration to suppose a diplomatic difference—to imagine the withdrawal of our Ambassador at three days' notice, the hasty embarkation of troops, a doubtful naval engagement—and in these days the result of any naval engagement must be doubtful—a force landed on your shores, your capital threatened, and what happens? [*A laugh.*] An hon. Gentleman laughs; but he would have laughed equally if such a thing had been said of Paris 12 months ago. In such a case what would the right hon. Gentleman do? He would sound the tocsin, and call upon the nation to unite in arms. But with what result? With the example of France staring him in the face there is only one thing to which he could have recourse, and that is to empower my hon. Friend the Member for the Border Burghs (Mr. Trevelyan) to enact the part of M. Gambetta in a balloon, and try and get troops in that way. But suppose you spend some of this precious £8,000,000 in endeavouring to organize a system of thorough defence throughout the length and breadth of the land? I do not say that I advocate compulsory service for every man; but I do advocate distinctly a system of compulsory military training and drill. What could be easier, and what would the effect be of such a system? You would confer not a hardship, but a positive boon upon the country. You would create a fusion of classes. You would physically improve your coming generation; and I venture to say that you would spend your money far more wisely than in trotting after the skirts of the Member for the Border Burghs, and devoting it to the furtherance of his family mania. Upon the subject of the Government proposal respecting the Militia, I have nothing to say further than that I entirely approve it. It is quite right that the officers of the Militia should receive their commission from Her Majesty; that they should consider themselves on the same footing as officers in the Line, and that the men in the Militia should look on themselves as equally as much soldiers as the men in the Line. We should do away with all absurd distinctions of lace, and so on; and should brigade the Militia on every possible occasion with the Regulars. Above all, we should do away with the system of billets. Carry out, in short, your own programme, and you will have the support and approval of every right-thinking man in the country. With regard to the Volunteer force, it may be thought that is a subject which I should leave in the hands of gentlemen more intimately connected with it personally; but I take leave to say that the Volunteers have never had a more sincere admirer and sympathizer than I am, because I think they are by far the most devoted body of men that tread on English soil, and the most ill-used. The only notice the right hon. Gentleman took of the Volunteers the other day was to confer on them the honour of a sneer and a snub. [Mr. CARDWELL: No!] The right hon. Gentleman says "No;" but I remember he told us it was an extremely difficult affair to arrive at the correct number of the Volunteers who would attend at the various reviews. He then indulged us with a personal anecdote of some 60 rounds of ammunition which he saw fired away at Wimbledon, and finally he flashed the Mutiny Act in our faces. Now, I go further than the right hon. Gentleman, and I say that when he applies the Mutiny Act to the Volunteers he should apply it not to the Volunteers when brigaded only, but to Volunteers when outside their house in uniform. When a man puts on a uniform it changes, or ought to change, his nature as much as the chrysalis changes into a butterfly; for the man assumes new responsibilities and obligations. The time to put him under the Mutiny Act is when he leaves his own door in uniform. ["No!"] I venture to say that commanding officers of Volunteers would be willing to agree to that, provided they were first fairly treated. But have you left nothing undone with regard to the Volunteers? Indeed, have you ever done anything for them? Are you aware that you might have hundreds of Volunteers to swell your ranks if you would offer to pay for their uniforms; and are you aware that some of the public parks are closed to the Volunteers? I will not intrude my own opinions upon the House; but I will quote from a letter written by an officer commanding one of the largest battalions of Volunteers in the service. He says, in the first place, that the—

> "Crucial difficulty we have to contend with is the dislike which employers have to their men serving in Volunteer corps."

And he further states that—

"It is possible to prove many cases in which men have been brought to the verge of starvation in consequence of their employers turning them off because they had served in a Volunteer regiment. A very considerable number of employers, if not a majority, do all they can to prevent men serving, and it is possible to prove many cases of men being obliged to conceal the fact of their being Volunteers from the heads of the establishment to which they belong. Legislation in some form is, therefore, absolutely necessary to protect men serving as Volunteers.

"The Government grant," he observes lastly, "is enough if the Government would clothe the men; but not nearly enough unless the clothing is given. It is impossible to get officers to bear all the expenses which are thrown upon them, no forage being allowed. The various shooting butts, if not bought up by the Government, will be bought up for building purposes."

I apologize to the House for having spoken at such length. But I wish to say, finally, that I object to assist Her Majesty's Government in their endeavour to persuade the country to give them a donation of from £10,000,000 to £14,000,000 for the furtherance of the views of one man. ["Oh!"] That they were originally the views of one enthusiast I maintain. I object to assist Her Majesty's Government in doing that which I know will ruin the character of the English officer. The hon. Member for West Norfolk (Mr. G. Bentinck) said the other night—and the observation was pregnant with truth — that hon. Members who sit in those seats below the Gangway on the Government side of the House were practically the legislators of this country. I think there never was so flagrant an instance of the truth as in the case of this Bill. I have much pleasure in seconding the Motion of my hon. and gallant Friend.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army,"—(*Colonel Loyd Lindsay,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. DAVISON trusted that the House, whatever it might think of the measure, the second reading of which had been moved, would never, by adopting the Amendment of the hon and gallant Member (Colonel Loyd Lindsay), affirm that the financial state of this country, and its exigencies, were such that no Vote of any kind ought to be granted for the extinction of purchase in the Army. Of course, he did not say that the Government was not quite ready to meet the hon. and gallant Member, and those who supported the Amendment, upon that which he believed to be the real pith of the whole Bill—namely, the abolition of purchase in the Army. He was glad to hear, notwithstanding the form of the Resolution as it appeared on the Notice Paper, that the hon. and gallant Member meant to put the question before the House in its broadest view. He feared that the hon. and gallant Gentleman who seconded the Motion had not gone so far; and, as many hon. Members entertained a distinct opinion upon the question, he should shortly state why the Government came to the conclusion that it was necessary to abolish the system of promotion by purchase, before anything effectual could be done in the way of improved Army organization. He entirely agreed in the opinion of the hon. and gallant Member who moved the Resolution, that it was desirable for the House and the country to know what the system of purchase was. Assuming that every hon. and gallant Member had read, more or less, the Blue Books, and especially the Report of the Commissioners, he would place some facts and figures before the House. It was reported by the Commissioners, and he believed there was no doubt of it, that in all the purchase corps in the Army—excluding the Royal Engineers, the Royal Artillery, the Royal Marines, and 12 Indian regiments, three of cavalry and nine of infantry, in which the system did not exist—the amount which an officer had to pay for any commission except the first was nearly double the regulation price. This statement might possibly be more startling to him as a civilian than to gentlemen in the service; but he could not help thinking that, if the purchase system was ever to be got rid of, now was the time to abolish it. It had been growing out of all proportion, and the Bill before the House allowed for something like £7,500,000 or £8,000,000 being expended on this matter, that sum to be extended over a number of years; so that in no one year should the amount exceed £1,400,000 or £1,500,000. If a war broke out no doubt the value of commissions would fall very low; but, apart from such an occurrence, unless immediate steps were taken to check this system, it would go on increasing until the expense of abolishing it would soon be double or treble the amount he had named. He found from the Report of the Commissioners, that in order to attain the highest rank in the Household Cavalry which could be got by purchase, an officer had to pay altogether £13,250, while in ordinary cavalry regiments an officer in the same circumstances expended a sum of £12,000. In the infantry of the Line the sum paid was £7,000, and in the Foot Guards—where, owing to exceptional circumstances in 1854, there was no purchase above the rank of captain—it was perfectly well understood in the market that £8,500 had to be paid. He asked the House whether these were not startling figures. The system of over-regulation prices had been going on growing ever since the year 1719, and without saying one word in disparagement of gentlemen who held Her Majesty's Commission, he must say that, in his opinion, and in that of the Government, the time had come when such a vicious system ought to be swept away. He did not seek to depreciate the bravery of the officers who led the Balaklava charge; but he thought that it could have been led with equal bravery and efficiency by officers who had not been appointed to their commissions under a system of purchase. Well, then, was this system of purchase a good thing for the Army? From what he had seen and read in Blue Books and newspapers, and heard since he had been in office he was led to agree with the hon. and gallant Gentleman who moved this Amendment, that the regimental system was one of great importance. With the hon. and gallant Gentleman, too, he believed it was essential that the system should be still carried out; but he failed to see with the hon. and gallant Gentleman why the system should be affected by the abolition or the retention of the purchase system. He could not see why everything which the Mover and Seconder of this Amendment desired should not be as obtainable after the abolition of the purchase as it was now. The commanding officer ought, unquestionably, to be a person who had not only the interests of his men at heart, but one with the necessary qualifications for service in the field. But, under the present system, an officer who possessed all the requisite qualifications, but had not money enough to purchase the step, failed not only to secure his promotion, but, owing to his not being able to find these large sums of money, had frequently to retire from the unpleasantness which his position entailed upon him. ["No, no!"] It might be that he had misapprehended the Report of the Commission; but, if hon. Members would refer to the Report of the Commission, he thought they would find that he had placed a right interpretation on the words of the Report. Under the present system, therefore, they not only treated hardly the man who had not the money to purchase his step, by putting another over his head, but they rendered his position, if unable or unwilling to pay the over-regulation price, so intolerable as to oftentimes compel him to sell out. What the Government proposed in place of this unsatisfactory state of things was a judicious system of selection. This system had been characterized by the hon. and gallant Gentleman who seconded this Amendment as an odious system. But he ventured to think that this term could not be properly applied to a judicious and fair system of selection such as was contemplated by this Bill; nor could it be said that these selections would not only be unfair and improper, but that promotions would be obtained through the intrigues of Members of the House of Commons. How could it be said that such a system of judicious selection, coupled with promotion to a certain extent by seniority, could be open to the charge of being "odious?" Hon. Members, too, who took this view, and, at the same time, urged that the officers in the Army possessed all the qualifications necessary for their profession, were apt to forget that if this were true there would be no difficulty about the selection, or, if the officers were all what they were told they were, it would be impossible to go wrong. He would urge upon hon. Gentlemen below the Gangway that the abolition of this system of purchase was, in the opinion of the Government, the first step towards the reorganization of the Army. And he would ask hon. Members who were desirous of seeing an alteration in the existing system, what would be the use, if the Government proposal were rejected, of the Reserve and the Militia, under the new regulations which it was intended should apply to those branches of the service? How would it be possible to make that fusion of the Regular Army and Reserve forces, which was regarded as so desirable, if in the one branch the promotion went by purchase, and in the other by non-purchase? He maintained that, if the proposal of the Government were rejected, this fusion would be impossible, and he trusted, therefore, that the House, by its vote that evening, would not affirm the view taken by the hon. and gallant Gentlemen who had moved and seconded this Amendment.

COLONEL C. H. LINDSAY thought it right to confine his remarks to the Resolution before the House, and said that it certainly appeared to be a very anomalous description of policy, for a Government that was pledged to retrenchment, to propose an increase of some £8,000,000 to the national expenditure, in the same breath with which it had added a charge of £3,000,000 to the Army Estimates over and above that of last year, and especially when no one could conscientiously agree, or at all events be convinced, that the *bonâ fide* efficiency of the Army for active service would be insured by it; and when one came to reflect upon the *onus probandi*, to say nothing of the responsibility which ought to guide the legislation of every Member of the House, as a conjoint guardian of the interests of the country, it was a matter of grave consideration whether the House of Commons was justified or warranted in accepting so questionable, because so useless and unnecessary, a policy. He wished to remark that if the British Army required so violent a remedy to revive its drooping constitution, and if the doctor's bill was to be £8,000,000 or £9,000,000, independent of the £16,000,000 already charged against the Estimates, into what a deplorable condition must its responsible advisers have allowed it to sink. If that were so, it was trifling with the taxpayers of the country to impose so extravagant and unnecessary a burden upon them—unnecessary, as far as they were concerned; for it would be idle to say that such an expenditure could in any way benefit their interests, inasmuch as the question of purchase or non-purchase in the Army was essentially a private arrangement, and had no place in the matter of the efficiency of the Army for either offensive or defensive purposes. It would, therefore, be a dead loss to those who had to pay it, which would be undoubtedly the taxpayers. Besides which, this new-fangled policy was singularly subversive of that which the Liberal party inaugurated in 1868, in order to fortify their efforts to drive the Conservative party from power, and as soon as possible assume the reins of a Liberal, Radical, and retrenching Government. Surely, then, the taxpayers had a voice in the matter, though he doubted whether it would be satisfactorily heard if the debate assumed a party character. No one could deny that this extraordinary proposal was playing a desperate game with the British Army. It was distasteful to the officers themselves, who were serving, and who did purchase, and who had a claim upon the consideration of the House, as the existing guardians of the honour and the *prestige* of the service they had adopted. He asked, why disturb a system that had worked well, when no benefit could be derived from its removal? Had the existence of the purchase system in any way reduced the tone and the quality of the British officer? No! Would the abolition of purchase in any way advance that tone and quality? Was it worth £8,000,000 to create this disturbance, when so much better application of public money was required? No! The Secretary of State, of course, did not wish to be unjust to any officer, nor need he, in a financial point of view, were he to adopt one of two plans—either to pay the money down to every officer as soon as the Bill became law, or to pay every officer who may apply to retire, irrespective of any limit as to numbers. He contended that the over-regulation had been virtually legalized, because the Government had, for the first time, recognized it, and guaranteed to pay it off. It was, therefore, as much a vested interest as the authorized regulation was, and should be dealt with as such, and honourably compensated. The Secretary of State, however, in order to ease off the strain upon the Exchequer, and from the fear of too great a pressure of retirements upon him, at the same time, was about to limit the number of repayments in each year, and thereby inflict a great injustice upon all those who, wishing to retire, were not to be included in that limit. And here was the blot of the Bill, which the House of Commons, in dealing with so sweeping a proposal, ought to feel called upon in its conscience to wipe out. The blot, which is the 2nd clause of the Bill, had been already explained and denounced; and, as it affected every Member in the House who had a son or a relative in the Army, and who had probably paid heavily for the honour, and as party feeling ought to have no place in this truly personal question, he could not imagine that the Government should have any claim upon even the staunchest of its supporters following it into the Lobby. He thought he would be supported by a large majority when he said that if purchase was abolished, the character, and the tone, and the *prestige* of the Army would be destroyed; for there was no doubt that if purchase was abolished and another system unavoidably substituted, such as promotion by secret selection and retirement by open compulsion, away would go the regimental system, upon the elasticity of which the success of our armies in the field had so much depended; for promotion would be spurious and non-regimental. He considered the question of the abolition of purchase bristled with difficulties, and probably the repayments would be about the least difficult, for it mattered not upon what plan the Government proceeded, injustice would be done to officers; for many would be serving on unequal terms, which was unjust and untenable. For instance, as a correspondent in a military journal had pointed out—

> "Suppose that the abolition of purchase was consummated on the 31st December, 1871, and that on the 30th of that month A purchased his promotion; he received as an equivalent such additional pay as amounted to the interest of the sum he invested; B, on the other hand, was promoted on the 1st of January, 1872, and received as his reward an absolute increase of pay. However advantageous this might be to B, it could not be said to be justice to A, inasmuch as A and B, holding the same rank and discharging the same duties in the same regiment, were receiving different rates of pay—which was obviously unsatisfactory and unjust. Now, take the case of death, which is no respecter of persons, we cannot blink the question that unless some provision be made to meet that casualty, the refusal to pay at once those officers who may wish to retire may deprive the widow and orphans of a brave and gallant officer, who has served his country with credit and honour, of their lawful birth-right—an injustice which no civil law would permit."

He said he put a Question, bearing upon this point, to the Secretary of State the other day, which, with the permission of the House, he would read, in order that the answer might be clearly understood; the Question referred to the position in which the widow and orphans of an officer who was dangerously ill and had died, or was killed in action were placed as regards the repayment of his commission to them. The answer of the Secretary of State was as follows:—

> "The widow, children, or next of kin referred to, do not receive the purchase money according to the purchase system, and, therefore, will not be entitled to compensation on the abolition of the system."

It surely could not be possible, therefore, that the House of Commons would sanction the abolition of purchase, when it had been publicly declared by a Minister of the Crown that if an unrecouped officer was killed, or was seriously ill and had died in his bed, the customary price of his commission, which the Government intended to recognize by its I O U, was to be lost for ever, notwithstanding his application to retire had been made and refused. It might be said there was no occasion to alter the existing regulations with respect to illness and death; but it appeared to him that there were decided reasons for the alteration, if purchase was abolished; one of which was, that because the Secretary of State was about to possess a power, over which he had no control at present, of refusing to pay an officer the price of his commission when he wished to retire, if he be not included in the annual list of repayments, he would be inflicting a great hardship, as well as an embarrassment, upon that officer and his family, by not guaranteeing to his family, in case of death, that money to which he would have been entitled had he lived, when his turn had come, and which he would have realized under the existing arrangement, when he wished to retire; and the Secretary of State would be establishing a breach of faith with every officer who had entered the Army upon the present arrangement. He was speak- to those on both sides of the House who must sympathize with each other on this vital question; he was speaking to those who had sons in the Army, who might not be included in the first batch of repayments; and he claimed their support. He asserted that, if purchase was abolished, retirement must be provided for upon the principle of compulsion. Was the Government prepared to do so? No; they were not; because the Secretary of State had distinctly said that it was impossible to determine with accuracy what would be required in the way of retirement. Then the process of selection could not be performed with satisfaction to the Army, and the process of shifting officers about, at the will and pleasure of the Government, would be distasteful, and would damage the regimental system, which had never yet broken down, but which this measure was doing its best to destroy. He asked, how could selection be made when all were regimentally efficient? It could not be done; in which case the system of seniority, if accompanied by efficiency, the various grades of which it would be impossible to analyze, must hold its own to be just; and if it did hold its own, the object in view would be defeated, because the line would be blocked, the stream of promotion would be stemmed, when the abolition of purchase had become a thing of the past. He pitied a man who would have the patronage to dispense upon those terms, for he would be a victim of public opinion, no matter how well his invidious duties might have been performed; and the Army would become an arena of debate, wrangling, distrust, and despondency for the future, which would not only engender acrimony, jealousies, and heart-burnings, but it would, he feared, and he regretted to harbour the thought, tend to loosen the reins of discipline. He hoped that the Government would not oppose the Resolution before the House, and that it would be convinced, before the close of the debate, that it had declared a decided opinion against the abolition of purchase, upon which the Bill seemed mainly to depend. But if the Secretary of State had not sufficient elasticity, or of that expansive element which was so necessary to the Army, as to yield to the opinion which had been expressed outside of the House of Commons, and if he preferred that the sense of the House should be taken, he would discover that the Division Lists of 1871 would not only be tarnished with one record which had been unnecessarily provoked, but that they would contain another and more important one—namely, a formal protest against a step which could benefit no interest whatever, but which would saddle the taxpayers of the country with the payment of several additional millions of money. He did not wish to detain the House any longer, as he only felt justified in confining himself to the terms of the Resolution; and he would conclude by saying that he fully endorsed the Resolution of his hon. and gallant Relative, and he did so because he considered it was far better to devote the energies and resources of the nation to those things which were really needful than to hamper the field that was presented for the re-organization of a comparatively impotent Army with such a formidable barrier, through which it would be almost impossible to travel on to the winning-post of success and reality, for the speedy accomplishment of which the country was impatiently waiting.

Sir GEORGE GREY: We are not now called upon to discuss any of the details by which the abolition of purchase, assuming that the House agrees to it, will be carried out, nor are we called on to consider whether the regulations proposed by the Government for the retirement of officers are the best and fairest that can be devised: details of that kind will be matters properly for consideration when the House gets into Committee on the Bill. Indeed, the Motion moved by the hon. and gallant Gentleman the Member for Berkshire (Colonel Loyd Lindsay) does not appear to raise the question whether or not it is desirable that the purchase system should be abolished, although the debate has, to a considerable extent, turned upon that. As I read the terms of the Motion, it does not ask the House to agree to any Resolution that would express an opinion adverse to the abolition of purchase, but only that the abolition of purchase at the present time would lead to the expenditure of a large sum of money which might be more advantageously applied. The arguments, however, of the hon. and gallant Gentleman himself, and of the Seconder of his Motion (Colonel White), have all gone to show that the abolition of purchase is a measure that ought not to be adopted now, or at any other time. I confess I am not insensible to the advantages of the purchase system. As the hon. and gallant Gentleman who seconded the Resolution has remarked, there is much to be said in its favour, while, as he candidly admitted, there is much to be said against it. Theoretically, I think that the system is utterly indefensible, and I think that no Government that came forward with a Bill for the reorganization of the Army could avoid dealing with this question of purchase; and in dealing with it I think that the present Government have taken the right course in dealing with it wholly and not partially. I admit, indeed, to the hon. and gallant Gentleman that it has created a flow of promotion in the regiments of the Line and in the Guards at little or no cost to the public, and although it may have prejudicially affected the interests of some meritorious officers, who were unable to pay the prices required for commissions, yet, on the whole, the system has not been disadvantageous, even to non-purchasing officers. Some evidence laid before the Commission of which I had the honour of being Chairman tended to show that this was the case, and that the promotion of a non-purchasing officer was generally more rapid in a purchase than in a non-purchase corps. The hon. and gallant Gentleman has contrasted the officers of the British Army with those of other armies, and has referred to the charge of Balaklava as showing the advantages of the purchase system; but what would he say as to the officers of the Artillery and Engineers, who obtain promotion without expending a single shilling? I think he will admit that they are fully equal to the officers of any regiment of the Line, and that in no regiment of the Line do better relations exist between the officers and men than in the Engineers and Artillery. Again, the hon. and gallant Gentleman referred to the reverses that have recently happened to the French Army in the late war, and seemed to attribute it to the fact that most of the officers in that Army had risen from the ranks; but he omitted to make any allusion to the successes of the German Army, in which promotion goes, not by purchase, but, in great measure, by selection. All these matters should be borne in mind when this question is under consideration. One great objection to the purchase system, as was demonstrated to the Commission I have referred to, is the absolute impossibility of keeping it by any laws or regulations within prescribed limits, and of fixing the price at which commissions should be sold. The figures that have been cited by the right hon. and learned Gentleman below me (Mr. Davison) show the great extent to which the system has prevailed, and the very large sums over the regulation price that have been paid. Indeed, Mr. Hammersley stated before the Commission that the sums thus invested amounted to nearly £3,500,000. Now, if this be correct, what will the system come to in the course of a few years? It has been admitted that at some time or other it may be advantageous to abolish purchase, and, for my own part, I think the present time is the most advantageous. And here I wish to correct a slight misstatement made by my right hon. Friend the Secretary of State for War, on the occasion of his moving for leave to introduce his Bill a fortnight ago. He spoke of the recommendations of the Commission over which I presided having had great effect upon the Government, and even upon His Royal Highness the Field Marshal Commanding-in-Chief. The fact is that the Commissioners made no recommendations whatever, because by the terms of their appointment they were precluded from doing so. They were simply desired to ascertain the facts under certain specified heads, and to report those facts to the House. We endeavoured to discharge our duty to the best of our ability, and I believe we gave as complete a history as was possible of the mode in which the purchase system has acted, and showed that it is necessarily interwoven with the over-regulation prices. Here I may, perhaps, be allowed to quote the opinion expressed by the Commission of 1857, which was presided over by the Duke of Somerset, and of which Mr. Sidney Herbert, then Secretary for War, was a member—

> "The practice of paying sums exceeding the regulation price must be considered to be an accompaniment of the purchase system which it appears impossible to prevent. This is an evil which is inherent in the system, and which cannot, it is said, be remedied, although it operates unfairly to meritorious officers and injuriously to the public interests."

The Commission over which I had the honour to preside thought these remarks were completely justified by the facts, and although we made no recommendation, I may state my individual opinion—and I should be much surprised to find that any member of that Commission is of a different opinion—that the evidence showed the impossibility of dealing with the subject without recognizing the claims of officers to the sums paid—contrary, indeed, to law, but in accordance with a system practised for many years past, and still practised even by every man in authority, whether civil or military, with regard to promotion in the Army. It is absolutely impossible to deal with this subject without recognizing the equitable claims of officers in respect of over-regulation prices. I am glad, therefore, that the Government propose to act in a just and fair manner towards the officers. I am quite sure that if they had not done so they would have been met by a reasonable opposition to their scheme, and that it would have been impossible for them to obtain the sanction of Parliament for such a course. Still, while thinking the Government have taken the right course, I am bound to say I agree with those who think the expediency of the abolition of the purchase system depends very much upon what is proposed to be substituted for it. The Commissioners of 1857 thought so, and I entirely agree with them. I am convinced that the opinion expressed by that Commission is correct; that if you resort to mere seniority as a substitute for purchase you will adopt a system that will be prejudicial to the best interests of the Army. If, then, you abolish purchase you must have a system of selection, and also a system of compulsory retirement. With regard to promotion by selection, I agree that there are great difficulties; but, nevertheless, I think it may be possible to overcome those difficulties. I think too much importance has been attached to the opinion expressed by His Royal Highness the Field Marshal Commanding-in-Chief before the Commission of 1857. He fairly stated his opinion in answer to questions put to him; but I wish to call the attention of the House to the following passage in the Report of that Commission:—

> "His Royal Highness has stated that if the returns from inspecting officers are fairly given, as they ought to be and might be, there is no officer in the Army with whose professional character the Commander-in-Chief might not be acquainted."

Now, I must admit, that if the case alluded to by the hon. and gallant Gentleman, who seconded the Amendment, be founded in fact, I should not be inclined to attach much weight to a character given by a commanding officer. It is not intended, however, as far as I understand, that the selection should be made on the mere report of the commanding officer; but inspecting officers are to be appointed by the Commander-in-Chief who may inform him as to the professional character of every officer in the Army. It has been truly said, in the course of the debate by the right hon. and learned Gentleman below me (Mr. Davison), that the regimental system is admirable and has worked well in the British Army; but I am by no means so sanguine as he is that if you abolish purchase you can maintain the regimental system to the same extent as at present. It is obvious, that if an officer is about to retire, and knows who will succeed him, no power on earth, no ingenuity, no regulation you can devise, can prevent a private arrangement, by which the succeeding officer who desires to obtain the promotion would make it worth the while of the other officer, in a pecuniary sense, to retire. Unless you prevent the officer who retires from knowing what officer is to succeed him, you can not effect this object, and therefore it will be necessary that promotion should be in the Army generally, rather than in any particular regiment. But nothing now is more common than to exchange from one regiment into another; and, therefore, practically the system proposed is not a new one altogether. We may be told that the practice to which I have referred does not exist in the corps of the Engineers or Artillery; but the answer is that this is owing to the vast extent of those corps, and their dispersion throughout the world, which prevents the possibility of a private arrangement between two officers, although it can easily be made between two officers who reside in the same quarters and are in daily intercourse. I trust the House will not sanction the Resolution of the hon. and gallant Gentleman. Indeed, I hope he will allow us to proceed at once with the second reading of the Bill, for when it goes into Committee we shall have an opportunity to consider all the details connected with the abolition of purchase, with a view to make them as fair and as equitable as possible.

MR. F. STANLEY said, that, although a comparatively humble Member of the House, he found himself compelled to speak on this occasion, and yet he did so in a position of embarrassment. He could not but think that he was placed under more than ordinary difficulties, because he believed he was about the only Member on that side of the House who had expressed a decided opinion as to the desirability of abolishing the purchase system. In the abstract, he was in favour of a proposition for the abolition of purchase; but the proposition of the Bill must be viewed in connection with other considerations involved in it, which were of a very serious nature. Any scheme for the abolition of purchase, ought, in the first place, to endeavour, as far as possible, to provide for the equitable redemption of the existing interests of officers, and, in the second, ought to endeavour to lay down clear and distinct regulations by which the flow of promotion might be further regulated. But he searched the Bill of the Government in vain, in an endeavour to find in it the fulfilment of either of these two conditions. He believed, and the opinion was shared by many hon. Members on his side of the House, that the Government fully intended to deal with the interests of officers with the utmost liberality; but they could not altogether forget what had happened on a former occasion. With that candour in his dealings with the House which would ever do him honour, the right hon. Gentleman discarded his former scheme on which he confessed he had not had sufficient information, and which, undoubtedly, was received with considerable disfavour. Although they could not doubt the intentions of the right hon. Gentleman, they might be led by what happened last year to doubt the accuracy of his information. He would find it urged with considerable force by those who were practically acquainted with the bearings of the question that, however unintentionally, the Bill as it stood would operate so as to cause considerable injustice to officers who were now in the service. The answer given the other night by the right hon. Gentleman to a Question put, he thought, by the hon. and gallant Member for Abingdon (Colonel C. H. Lindsay), would have led hon. Members who had not paid the subject the fullest attention to the belief that, under the regulations of the Bill, officers who kept in the service and who died in it, not being killed in action nor dying of wounds, would be placed in no worse position than they are placed in now under the present regulations of the service. At present, officers who desire to leave the service, provided they are not certified as being likely to die within a given space of time, may make their own bargains with other officers and leave the service at once; but, under the Bill of the Government, they are no longer to be placed in the same position, for the State can step in and say—"I am become the only purchaser, and, under certain conditions, I do not intend to exercise the right of purchase." Therefore, officers were no longer placed in the same position; and if there were any kind of service worse than unpaid service—which had been characterized as being worth exactly what it cost—it was a service which was distasteful to the persons engaged in it. If we were to have duty performed properly—if officers were to sustain their high traditions—it seemed to him a fatal mistake to have officers whom we did not permit to leave the service except at a sacrifice not only of their professional reputation, but also of their personal fortune. There was a very wide-spread opinion among officers of the Army—he thought the opinion was entertained by those who had most considered the question from a professional point of view—that if the purchase system were abolished, the satisfaction to be given to officers for the absorption of their commissions ought to be assured to them as early as possible. There was force in the objection which had been raised to our having officers serving side by side, one of whom would have everything to lose, while another would be placed in a less unfavourable position. If, by any means, satisfaction could be given to the officers of the Army that from the moment after the passing of the Act, or from such other time as might be fixed, direct compensation for their commissions should be assured to them, that would go far to remove the feeling of disfavour with which the Bill had been received. He believed that the feeling of disfavour with regard to the abolition of purchase was not so general in the Army as it was supposed to be; on the contrary, he believed that many officers, perhaps those who had not given the least attention to the subject, were convinced that there was not so much danger in it as had been suggested by some hon. Gentlemen in that House. Notwithstanding this opinion, they entertained a deep and sincere conviction that their pecuniary interests were not as well and equitably served by the Bill as it was apparently the wish of the Government they should be. It was easy to find fault. It was easy to say that security for the payment of so large a sum of money should be at once given; but he saw that the right hon. Gentleman the Secretary of State for War had sitting near him another right hon. Gentleman (the Chancellor of the Exchequer) who exercised a check over any undue liberality that might be given in that direction. It was one of the recommendations of the Committee on Retirement which sat in 1867, that, as far as possible, retirement should be promoted by compounding for the payment to be made to officers; and he had not the slightest doubt that, supposing there were a difficulty, as undoubtedly there would be, about the capital sum being paid down, many officers would gladly accept anything in the nature of an annuity. This would spread the payment over a number of years, and would also have this advantage to the individual officer—that there would be the certainty that he would receive the payment, and this would go far to remove the feeling of uncertainty and dissatisfaction among the officers which might otherwise prevail. He had looked in vain through the Bill, he had looked in vain through the statement of the right hon. Gentleman the Secretary of State for War, in delivering the Estimates, for any promise of a provision to be made for retirement, and he could not consider that the propositions of the Government in this respect were as fair as they might be. Admitting, as the right hon. Gentleman did, that the question of retirement must ultimately come into discussion in connection with the abolition of purchase, all that the right hon. Gentleman had to say now was that he could not tell what was necessary. True, that was qualified by the expression of the hope that in the Reserve forces he hoped to find many places for officers of the Regular service; but how far was such a provision to be considered in the nature of retirement? They were undoubtedly told, with truth, that the right hon. Gentleman had endeavoured to examine the question in all its bearings, and he recognized in its fullest sense the importance of the two questions of the retirement and the promotion of officers in the Army. The right hon. Gentleman gave the reason which induced the Government to recommend the principle of selection, of which there was some distrust in the Army, a distrust which was recognized by the Duke of Somerset's Commission of 1856-7. In its Report that Commission urged that the principle of selection ought to be introduced very gradually, and not until the minds of officers were fully relieved of the distrust which attached to it. The right hon. Gentleman admitted that the carrying out of the principle was a matter of the greatest difficulty. What was the form in which the Government proposed to adopt it? Tabulated reports were to be kept in the office of the Military Secretary. Looking in vain for any clearer information on the subject, he came upon these words of the right hon. Gentleman, which seemed to be almost fatal to the very principle which he now wished the House to adopt. The right hon. Gentleman said he would not enter into the details of the mode in which security was to be afforded to the Army for the impartiality and fairness of promotion, because the matter was still being carefully discussed. This almost implied that the right hon. Gentleman had no plan to lay before the House; and if they went into Committee, he trusted they would not go far without a more distinct assurance on this point. They were told that the promotion from captain to major, and from major to lieutenant colonel, was to be Army promotion, and was to be by selection. Now, selection meant either nothing at all or a very great deal too much. If an officer was only to be selected upon the principle of seniority, then it was a farce to call that system a system of selection. But if promotion to the higher ranks was to be Army promotion—and stress was laid by the right hon. Gentleman on Army promotion as distinguished from regimental promotion—then it meant a most serious change in the constitution of the Army. He had had opportunities of conversing on these matters with foreign officers. He was not going to quote in detail any opinions; but he did say this, without fear of contradition, that even those officers of foreign armies who most found fault with the general organization of our Army had always a good deal to say for our regimental system. If, therefore, it was proposed to do away with much which produced the feeling of attachment of officers to their regiments, he thought the right hon. Gentleman was bound to show that some very great advantage would accrue from the change which he proposed. He would appeal to the recollection of almost any officer in the House whether, when he looked forward to his career as being an Army career, he did not regard himself as being bound up with the welfare and well-being of his regiment. Now, if promotion to higher ranks in the service meant that an officer was to be taken from his regiment for the simple reason that he was to be promoted and moved to some other, then they would have done a serious evil not only with regard to the officers, but also with regard to the men who were under them. However distinguished the regiment might be to which he was appointed, it would be little consolation to an officer who had served throughout his life in, for instance, the Rifle Brigade, with all the honour with which the name of that brigade was connected, to be told—"Now you have arrived at the rank of senior captain, you have an absolute certainty that your promotion will not be in your regiment; you must go to some other branch of the service." Suppose that an officer was promoted from the Rifle Brigade and transferred to a Highland regiment. The traditions of that regiment were not inferior to those of others; but each branch of the service had its peculiar feelings, and required peculiar management on small matters of detail which were best known to those who had served in the Army. It was one of the most important points in the system of the Army that these very details, on which depended the emulation of the various regiments one against another, should, to a certain extent, be kept up and encouraged. He did not think that any proposition had ever been made more fatal to them than that an officer brought up in a particular regiment should on no account receive promotion in the same regiment. The right hon. Gentleman had proposed the abolition of purchase, and, so far he could discover, the main argument of the right hon. Gentleman, independently of those which might be characterized as sentimental arguments, appeared to have been that it was necessary to abolish purchase before you could amalgamate the two forces. But let them see what was the *quid pro quo* given by the right hon. Gentleman. The amalgamation proposed by the right hon. Gentleman, so far as he could make out, consisted in these points—that infantry regiments were to be attached to counties, and that they were to recruit in their own sub-districts. He regretted that the Return for which he had moved had not yet been laid on the Table, because, unless he was greatly mistaken, it would have furnished considerable information which he thought was wanting on these points. He was afraid that the infantry regiments would, in some cases, be unable to recruit in the sub-districts of which they bore the name. He need hardly recall an instance quoted by a right hon. and gallant Gentleman now no longer in the House—General Peel—who, in speaking on this same proposal of localizing regiments in 1867, mentioned the case of a regiment that was unable to get a single recruit out of the militia regiment of the district of which it bore the name. He thought that if the principle of localization was to be carried out to such an extent that regiments were only to recruit in their own sub-districts great practical inconvenience would be the result, unless there was some further provision—which he had not been able to discover in the Bill—to meet it. Then the next principle of amalgamation was that recruits of the Militia were to be trained with those of the Line. It might be in the experience of hon. and gallant Gentlemen to know that a recruit was for the most part a very suspicious creature, and he could not help declaring that a great many Militia recruits would think "there was more than met the eye" in the proposal with regard to drill with the troops of the Regular Army. That point, of course, could only be determined in practice; but in renunciating those views he was only saying that which had been asserted by officers of more practical experience than himself, and he thought considerable difficulty would be found in inducing Militia recruits to come up to barracks with the Regular Army for the purpose of being drilled with the recruits of the Regular Army. The Militia recruits would feel that if once they were taken to be drilled with recruits of the Regular Army, the military authorities might not be so anxious to let them go. He wished the right hon. Gentleman would give a little further explanation on the point as to how far the officers of the Militia and of the Regular Army were to be interchanged. Did the right hon. Gentleman mean that—as during the Peninsular War—officers might be so far interchanged, that officers of high standing in the Militia service might go with their men to serve in the Regular Army. Was that plan intended, or was it intended that companies should be stripped of everything except the companies' officers? That was a point on which considerable anxiety would be felt, both by officers of the Militia whose prospects might be involved, and also by officers of the Regular Army for whom it was proposed to find places in the Reserve force; and the right hon. Gentleman would do no harm in giving the House some fuller explanation on it. There was another point which he approached with some diffidence. He understood that the localized and Reserved forces were to vary from 15,000 to 20,000 in each sub-district. They were to be placed for all purposes, with the sole exception, he thought, of artillery instruction, under colonels on the Staff. Then the question at once arose—for if this organization were proposed, it would be formed at considerable expense—Was it intended that if these large *corps d'armée* should be mobilized, or raised to a sufficient standard in time of war, they should be left under the command of colonels of the Staff? Would it not be better to assign to such large corps general officers, as to the little employment for whom there was so much complaint now, and allow them to become acquainted with the district of which they would be in charge in time of war? Otherwise what would happen? Assuming, as he did, that general officers would be appointed in time of war, they would come to their districts ignorant of its circumstances, ignorant of the character and ability of the officers with whom they would be brought in contact, and at the very moment the country would most want their services they would have to learn their business and to organize their forces. It was impossible not to think that a somewhat increased expenditure would be usefully incurred to prevent the disadvantage to the public service arising from the confusion which would be inevitable if colonels on the Staff had to be superseded by general officers. The Bill before the House had, since it was first spoken of, changed its title. It was no longer an Army Organization, but an Army Regulation Bill, otherwise it would be impossible entirely to pass over the lack of information as to what the right hon. Gentleman proposed to do with those large Army corps when he had got them. He need not remind the House of a most painful spectacle seen in the beginning of last August, when an Army, not inferior in its traditions to any Army in the world, was paralyzed from want of organization, want of supplies, and want of military train. There did not seem to be the slightest provision for the expansion of the Control department which would be necessary under the new organization, and he ventured respectfully to ask the right hon. and gallant Gentleman who so ably presided over that department (Sir Henry Storks) whether the Control system was capable of expansion so as to meet such a very large increase above the Regular forces. Some stress has been laid on the provision in the Bill that when the Volunteers were being trained and exercised with the Regular forces they would be subject to the Mutiny Act and the Articles of War. Suppose a Volunteer, who was generally embodied with the other forces for a particular day, committed an offence which rendered him liable to military punishment, he understood that punishment could extend only to the day on which the Volunteer was actually serving. Now, circumstances had occasionally occurred at Volunteer reviews, generally held late in the day, which might subject a man to military punishment, and as the control over men existed only for the day, he wished to ask whether the inconvenience might not be greater to the officer who had to deal with the offender than to the offender himself if dealt with under the provisions of this Bill. There was a provision which authorized the justices of the peace of any county, at the general or quarter sessions, to provide barracks for the county Militia. He could not help thinking that was putting the saddle on the wrong horse. Precisely where a county had made the greatest efforts to raise an efficient force would a vast burden be laid upon it. The burden would not fall on those counties which had raised only a few men; but where a large contribution in men had been made towards the defence of the country, the counties would also be called upon to vote a large sum of money in order to provide accommodation which, in the majority of cases, it would fall rather within the duty of the Government itself to furnish. When the right hon. Gentleman introduced his Bill he asked whether the House was prepared to accept three points—first, that enlistment should be voluntary; second, that purchase should be abolished; and third, that the patronage of the Militia should be transferred from the Lords Lieutenant of counties to the Crown? On the first and third points, he thought the House was unanimous. But when they saw that the abolition of purchase was made one of the principal points of the Bill, and that one of the chief reasons given for that abolition was that a complete amalgamation of the various forces of the country might be effected, then it was for the Government to prove to those who would support, as he intended to do, the Resolution of his hon. and gallant Friend, that this amalgamation could really be brought about. The House was asked to assent to great changes. The right hon. Gentleman could not complain, as far as the debate had gone, that there had been anything like an exhibition of party feeling. There was a well-founded agreement in the House that this question ought not to be considered as a matter of party. It was in no party spirit that he had made the observations which he had ventured to offer, and he was sure his remarks would be received by the right hon. Gentleman with that candour and courtesy which he always exhibited to the humblest Member of the House. If the right hon. Gentleman had any explanation to give on the point to which his attention had now been called, he would do much to promote the progress of the Bill. He agreed in the abstract that the abolition of purchase would tend to the ultimate advantage of the Army; but it was for the Government to show that at the present moment, when every farthing of public money was as far as possible being saved, they would be able to effect that complete amalgamation which seemed to be the principal argument for what they proposed.

MR. H. R. BRAND, while admitting that the officers of the Army came, as had been stated that evening, from various classes in the country, observed that a great many educated men were nevertheless excluded from the service because they happened to be poor. In the Army the system of promotion was now based on a money qualification, and what he desired was to see advancement in the profession made rather the result of merit. The hon. and gallant Gentleman (Colonel Loyd Lindsay) seemed to think he had adduced an argument which was quite unanswerable in support of the position which he had taken up, when he quoted the authority of General Blumenthal, to the effect that purchase was an excellent system, and that he should like to see it introduced into the Prussian service. That, however, was no proof that we ought to retain the system; and he had no doubt the country would be prepared to spend £8,000,000, or even £12,000,000, for its extinction if it were shown that it was injurious to the Army. But whatever the sum might be which the abolition of purchase might cost, it was equally the duty of those who were opposed to it to prove that the evils attending it were of so grave a character as to justify the course which the Government proposed to take in putting an end to it, as well as to suggest some system to be adopted in its stead. Purchase had existed in our Army for a considerable time, and it had been defended in past times on the ground that it gave security to the public that the Crown should not promote officers who were mere creatures of its own, while it was supported at the present day because it was alleged that it erected a social barrier between the people and the Army, and caused the Army to be composed of men who, being possessed of property, were not likely to lend themselves to any revolutionary scheme. Such was the view taken by Lord Palmerston, who was of opinion that it was only when the service became filled with adventurers that it would be found to be opposed to the liberties of the nation. Now there was, however, a strong feeling growing up in the country, that in military, as well as in all civil employments, the disability to engage in them should be imposed on no class in the community. It was at the same time urged that if promotion in the Army were given only by merit an inferior class of officers would spring up; but it must not be forgotten that it discouraged all competition when an officer knew that whatever amount of intelligence he might possess it would not gain him a single step in his profession; while a great many men were prevented, owing to the purchase system, from entering the Army who would otherwise be glad to join it. Lord Clyde, who was a non-purchase officer, had been 46 years in the service before he attained the rank of major-general, while in the case of other general officers he found that the average time which it took to obtain that rank was 36 years. Now, any system which could prevent the speedy advancement of such men as Lord Clyde could, he thought, scarcely be regarded as advantageous to the public. So long as you had purchase it was impossible to absorb officers, or to reduce their rank, or to effect any reform that touched their monetary interests. The abolition of purchase was desirable for the sake of the efficiency of the service, because efficiency depended upon merit, and merit must never be confounded with money; and it was desirable in the interests of the less wealthy classes, to whose sons the Army was now virtually a closed profession, that it might be replaced by a system of pure selection, or by selection with seniority. If the former was adopted, the Government ought, without delay, to furnish them with further details of the machinery by which it was to be carried out; but if the system of seniority was to be introduced, he could only say that it would be nothing else than purchase under another form. There was, at all events, one respect in which he hoped the Government would change their plan, for there was a very strong *esprit de corps* among the officers of a regiment, who took a pride in it, who were respected by the men under them, and who would think it very hard to be promoted out of it, as was proposed, in entire disregard of that regimental system which was the life and soul of our Army.

Viscount MAHON maintained that injustice would in many respects be done to the officers of our Army by the abolition of purchase. It was an injustice that an officer who had given nothing for his commission should be placed on a par with a man who had paid a large sum of money. What would a colonel have to look forward to after becoming a general officer? He had no chance of the rise held out under the present system, and no allowance. He might be too old, or he might be too young, and therefore not selected, or by accident he might not have seen foreign service, or, finally, he might be passed over in consequence of his political sentiments. Altogether, the new system would inflict a great injustice upon an officer on the point of becoming a general. As to the purchase system itself, he would remind the House that before the Royal Commission of 1857 an officer, who had been passed over 18 times, stated that, on the whole, he was in favour of retaining the system, since without it he would have been still longer without promotion. He (Viscount Mahon) fully agreed in the opinion that the only just way of abolishing purchase was by paying the money down on the spot; and he thought that it would not cost the State more in the end to pay the money down by a loan—to be repaid, say in 25 years—than to follow the plan of the right hon. Gentleman. There was one exception, that according to which Government now proposed that the money of every officer who died in the service should go to the State. It was most unfair to take such an advantage, it was mean, and the matter ought to be arranged in an honourable and straightforward way. The hon. Member for the Border Burghs (Mr. Trevelyan) had said the other evening that the officers, as a body, were adverse to Army reform. He (Viscount Mahon) could most distinctly contradict that statement, for he was sure that every officer to whom he had spoken on the subject was anxious to see the Army put upon a good basis. The same Member had also stated that the War Office would be obliged to stuff any reform down the throats of military men. Now, with all respect to the hon. Member, he (Viscount Mahon) did not think that the service was prepared to swallow one-half, or even one-quarter, of what that hon. Gentleman had proposed. A most important subject in connection with the Army was the Control department, which was intended to amalgamate the supply, transport, and munition services, but which, he feared, had not thoroughly fulfilled the expectations formed of it. The system was one of centralization, entirely opposed to the Prussian, which was a system of decentralization, each *corps d'armée* being responsible for its transport and everything connected with it. The Prussian system had worked remarkably well; there was a wholesome emulation between each division of the Army as regarded both economy and efficiency, and greater responsibility was imposed upon the commanding officer, which was a great advantage. It was by this system that the Duke of Wellington managed in the Peninsula, and he thought that, by a slight change, the present Control Department might be made efficient—namely, by putting it under the commanding officer of the district and not apart from him.

Mr. CARDWELL: It is so at present.

Sir HENRY STORKS: According to the present rule, the responsibility rests, where it ought to rest, with the general officer commanding the district, the controller being merely his agent.

Viscount MAHON held that, at any rate, the commanding officer said in cases of complaint that it was the controller's fault, the controller, in turn, said the blame lay with some other one, and so adequate responsibility was evaded. Another objection to the Bill was that it provided no further augmentation of the Reserve forces available for foreign service. The only force so available was the first-class Reserve and the Militia Reserve, together about 23,000 men. Now, we could not stand by our allies on the Continent in any adequate way with 50,000 men. We ought to be able to send abroad at once, if required, a much larger force. In 1814 and 1815 we had (according to Alison) in Europe and in Asia a standing Army of over 1,000,000 men, and never did the name of England stand so high upon the Continent. Without saying that it was necessary to maintain any such force now, he thought we should be able to expand our Army to a much greater limit than was proposed by the right hon. Gentleman. In the belief that the Bill did not do justice to the officers and did not meet the full requirements of the time with regard to the Army, he should cordially support the Resolution of his hon. and gallant Friend.

Mr. MUNTZ said, the noble Lord who had just sat down had told them that in 1814-15 this country had 1,000,000 of men under arms. He (Mr. Muntz) did not know what number of men we had with muskets; but he did know that at Waterloo we scraped together every man we had, including two regiments of Militia who had never smelt powder, and all we mustered was 36,000 troops. He mentioned that because the public might be led to believe our forces had greatly deteriorated, and had become attenuated since that wonderful time, and that we were no longer a powerful nation. He had noticed in almost every instance hon. Members had come to the conclusion that by the abolition of the purchase system we should somehow get rid of the regimental system—a matter he should be sorry to see, for it would interfere with the *esprit de corps*, so indispensable in an English regiment. The hon. and gallant Member for Berkshire (Colonel Loyd Lindsay) argued that, in consequence of the parsimony of the House of Commons, the military establishments of the country were upon a contemptible system; and the hon. and gallant Member for Tipperary (Colonel White) said that, in case of a foreign war, we should be totally and absolutely at the mercy of the foe. The charge of parsimony might easily be disposed of by a comparison of our military position with that of the North German Confederation, which had an Army of 300,000 men in time of peace, and 586,000 more — total 886,000—in time of war—real soldiers, who knew how to fight—costing a trifle under £10,000,000 sterling; while we had a force of 135,000 men in the Regular Army, 139,000 Militia, and 175,000 Volunteers, for which, during the past 10 years, we had paid an average of £15,000,000 per year, or a total of £150,000,000 for the whole of the period. They had been told that the officers were altogether in favour of purchase; but, in fact, there was a great deal of discontent in the Army with regard to purchase. There was ample evidence in proof of the practice of young men, by sheer force of wealth, buying over the heads of others who had seen from 12 to 15 years' service. He was therefore delighted that the Government had the moral courage to take up the matter, and he hoped they would persevere with it. Now, this was a very serious subject, and they had to do two things—first, to do justice to the officers, and second, to do justice to the taxpayer. They knew very well that the officers had paid for their commissions on the good faith of the country that they would be repaid, and with the conviction that under the usual regimental system they would rise in rank till they obtained command of their regiments. The least thing, therefore, that the country could do was to pay back that money, for they must never forget that they were Englishmen and honourable men. The officers of the British Army—and, with few exceptions, a more noble body of men could not be found—had advanced certain sums of money for their commissions, and they were entitled to be repaid. For that purpose about £7,500,000 would be necessary. It was not for him to say how that sum should be raised; but he believed the Chancellor of the Exchequer would have no difficulty in raising it in Terminable Annuities, and paying off those gentlemen at once. But, then, how were they to deal with those who had paid the over-regulation price? That system had, no doubt, become ingrained in the Army, although it had never been acknowledged by the Horse Guards; and it would be extremely difficult to abolish it. Officers who had paid over-regulation prices stood in a totally different position from those who paid their money on the faith of the nation. What, then, would he do? He would simply abolish regulation purchase, and leave the regimental system as it now was, so that if officers liked to buy out one another they might continue to do so as they had done. There were non-purchase regiments in the British Army; was there no purchase there? There was a regular system of buying and selling, and in the Indian Army also, as well as in the Line and the Guards; and there would have been in the Artillery, if they had not been so spread over the world that it was impracticable. He believed that regimental purchase would continue. Human nature was the same all over the world. The Government proposed that subalterns who had been two years in the Militia should, by virtue of their service of two years, obtain commissions in the Regular Army. He did not know what the right hon. Gentleman's intention was; but if the Militia and Volunteer officers were to be men who had seen service and knew what it was—and half-pay officers of that class could be found in any number—they would have in a few years a body of troops fit to do anything that could be required of them. But if those officers were to be appointed hereafter as they had been, they would only have so many men with muskets. Referring to the short-service system, he took exception to the proposal that men should be enlisted for 12 years, for he believed it to be a fatal mistake. Short service was of immense value. What they wanted was a small, thoroughly efficient body of soldiers—say 100,000—complete in every respect, ready to go anywhere and do anything; and in addition to that a large Reserve. The Reserve need not cost much, and they might have one of 300,000 well-drilled, efficient men, fit to take the field in any emergency, and who would make it absurd for any Power ever to dream of attacking this country. He was not enamoured of the Prussian system, but thought that three years would make a young man of 18 or 19 a good soldier, without making him a bad citizen; and if after that period he served a certain time in the Reserve and in the Militia, they might then have as fine a body of men as could be handled. They must, however, have a separate Army for India, for which the enlistment should be for 10 years. And this led him to ask, in reference to non-purchase, how they were to stop officers from exchanging? Some men could stand a hot climate and some a cold one, and *vice versâ*, and it would be the greatest tyranny to say that officers should not exchange. Whatever they did with the Army, the secret of success was to make it contented and comfortable. Army reformers were often unfairly accused of wishing to cut down the defences of the country; whereas all that they really wanted to cut down was waste and extravagance. They desired to have a thoroughly good and effective Army, maintained with the greatest possible economy. Whenever the occasion arose for strengthening our forces, he believed that those Gentlemen to whom he had referred would be found as ready as any other party in that House to vote for the increased Supplies.

COLONEL GILPIN said, he thought that whatever differences of opinion might exist amongst them in respect to the details of a measure of such magnitude and importance as that before them, they must all acknowledge and appreciate the great labour and pains bestowed upon the question by the right hon. Gentleman the Secretary of State for War, as evinced by the brilliant speech he had made when introducing it the other evening. It was to be regretted that the right hon. Gentleman had not acceded to the request made to him to divide the Bill into two parts—the first part dealing exclusively with the organization of the Army, and the second with the abolition of purchase. The question of organization he thought ought to precede that relating to the abolition of purchase, and the Amendment of his hon. and gallant Friend (Colonel Loyd Lindsay) was extremely opportune, for it asked the House to hesitate before incurring enormous expense to abolish a system which, speaking generally, had worked well for the Army and for the country. He was glad to hear the right hon. Gentleman the Member for Morpeth (Sir George Grey), a man of great experience, give such ample evidence of the benefits that had arisen from the purchase system. Their regimental system had been admitted to be almost as perfect as a regimental system well could be; and the most ardent advocates for the abolition of purchase would hardly say that their officers had failed in their duty, whether in looking after the comfort and discipline of their men in quarters, or in the example they had set them in the field. As he understood, the right hon. Gentleman (Mr. Cardwell) had not solved the problem of how promotion was to be kept up and a due infusion of young blood obtained for the service after the purchase system was extinguished. He was informed that there was at present a block in the Artillery. How was that to be remedied? Under the system of the old Indian service every officer was compelled, by a custom as strong as law, to pay annually so much to buy out old officers, and so essential was it deemed that something should be done that the Board of Directors actually sent out a Minute sanctioning purchase in a non-purchase service, and when he endeavoured to get justice for those officers on the amalgamation of the two services it was refused, because the Judges had decided that the act of the Company in issuing that Minute was illegal. In respect to the work of re-organization, the first thing the right hon. Gentleman had to do was to get good men to enter the service. He (Colonel Gilpin) had last Session given his opinion adverse to the right hon. Gentleman's plan of enlistment, and expressed his regret that before he had reduced his establishment he had not looked more carefully into the state of his Reserve forces. Neither in England nor in Ireland had the right hon. Gentleman been able to recruit the ranks of the Army up to their full complement. The right hon. Gentleman seemed to dissent from that statement; but he understood from the recruiting parties, and from the officers of regiments, that the class of recruits were not such as they had been in the habit of having. One of the right hon. Gentleman's pet projects was short enlistment; and that had not succeeded, because the bulk of those who offered themselves were for long and not for short service. So much the better; for the Duke of Wellington said that the old soldier was the bone, sinew, and strength of the British Army. He understood that the office of Commander-in-Chief was to be a permanent appointment, or, at least, not subject to the five years' limit, as was the office of Military Secretary, and he rejoiced that the Secretary for War had not listened on this point to the recommendations of a small but noisy section of the community. But there was another important office, that of Controller, the tenure of which had not been fixed as far as the House had heard. He congratulated the present holder of the office (Sir Henry Storks) in having at length found favour with a body of free and enlightened electors, and he congratulated the Government on having at length succeeded in their endeavours to secure for the Secretary for War that advice and support he was so thoroughly competent to give; but if the tenure of the office of Controller was to be limited by a fixed period of five years, the politics of the gentleman holding it must be elastic, or else, upon a change of Government, the right hon. Gentleman opposite, for instance, instead of being the *fidus Achates* to the Secretary of

War, might be his bitter opponent. As regarded the Militia, he deprecated the proposal to remove patronage from the hands of the Lords Lieutenant, because if the Militia were to be a local force, the right hon. Gentleman must not disregard local influences. He was, however, glad to find that the Secretary for War had refrained from listening to those who had advised him to adopt the Ballot; because, before the privileges of the people were curtailed, the House should consider what the Militia had done, and what it was capable of doing. The hon. Member who had last spoken said the Militia had done little at present; but he reminded the House that during the Russian War the Militia sent 30,000 men to the Crimea; they released our Regular men from garrison duty, and they performed all the home duties both in England and Ireland. He took this opportunity of offering the right hon. Gentleman his thanks for what he had done in favour of the Militia. He (Colonel Gilpin) had received several applications for commissions in the regiment which he had the honour to command. If the right hon. Gentleman had only acted in time, he would have benefited the labour market as well as the regiments generally. He presumed that, after the Census had been taken this year, the Militia would be largely increased, and if this increase could be obtained by beat of drum, there was no need for compulsion. There was, however, one important matter he wished to bring before the right hon. Gentleman. The 27 days' training for inspection was about to commence; but that period would embrace three Sundays, and a certain proportion of wet days, so that the available time would hardly be sufficient to complete the course of musketry practice. Under these cases he hoped an extra week would be allowed, because under the present system he was convinced that much of the money expended for this purpose was thrown away. The proposal to saddle the country with the cost of additional Staff colonels to inspect the Reserve forces was quite beyond his comprehension, because already the country was mapped out into military districts, each commanded by a general officer with a number of colonels under him ready for the service. He would add only one word with respect to the Volunteers, of whom he always desired to speak with respect and admiration for their devotion to the public service. If the Volunteers were called out for a certain number of days in each year, paid for their services, and put under the Mutiny Act, their efficiency and discipline would be greatly increased. He should be happy to aid the right hon. Gentleman in his efforts to re-organize the military service; but he could not be a party to the enormous expenses which the abolition of the purchase system must involve—a system which, in his conscience, he believed had done great service to the country and to the Army.

Mr. BUXTON said, he had come down to the House earnestly hoping he would hear arguments of sufficient weight to relieve him of the painful duty of voting against a party with which he had acted for 13 years; but no such arguments had been addressed to the House, and he had now only to state why he could not support the Government upon this occasion. He had come into the House almost extravagantly in favour of economy; but having well considered the present question, he would be no party to a measure that would entail a cost of £8,000,000 by the abolition of the purchase system. Moreover, no one had told them what would be the cost of the pensions which the abolition of purchase would necessitate. The calculations which the Government had not ventured to make had been made by private individuals, and he believed that if the sum mentioned were capitalized it would exceed £7,000,000. Everyone would see that if that system were abolished, under which large numbers of officers retired of their own accord every year, and if instead of that system a direct incentive were offered to officers to remain in the Army in the hopes of promotion, the result would be a large addition to the pension list. Putting the total cost at £12,000,000, no one would object to that expenditure if value was received for it; but it had not yet been proved that the country would get value for its £12,000,000. The hon. Member for Birmingham (Mr. Muntz), an enthusiast for the abolition of purchase, and a member of the Commission appointed to inquire into the subject, had said it was his firm conviction that after spending these £12,000,000 for the abolition of purchase it would revive again in its original form in a few years. Was the country to spend £12,000,000 for putting an end to that which competent authorities in favour of abolition believed would inevitably revive from the very first day of its abolition? The right hon. and learned Gentleman (Mr. Davison), who spoke for the first time from the Treasury Bench this evening, must be taken as giving expression to the views of the Government which put him up to speak, and that right hon. and learned Gentleman had appealed to the House not to be alarmed by the idea that the regimental system would be abolished. But the hon. Gentleman who spoke from the front Opposition Bench (Captain F. Stanley) had clearly shown that the regimental system was of essential value to the Army. If that *esprit de corps* were done away with which urged each regiment to excel its neighbour, whether at home or in the field, the British Army would be deprived of its most powerful stimulus. If the Volunteer service were treated as it was proposed to treat the Army—if its officers were to be passed from battalion to battalion, the service would go to pieces in 10 days. He maintained that any alterations in the regimental system would inevitably result in the destruction of that *esprit de corps* which acted as such an incentive as matters now stood. Fortunately, however, the Government had declared that there was no intention of abolishing the regimental system. But if that were not so it was evident that promotion would go on by selection within the regiment, and hon. Members could easily imagine what ill-feeling would be created supposing some lieutenant were selected as the cleverest officer in the regiment and promoted over the heads of those even higher in rank than himself. He contended that if they had the system of selection they must destroy the regimental system and make commissions interchangeable, the result of which, as he believed he had shown, would be to destroy that *esprit de corps* which was at present the pride of the British Army. If the British Army had broken down under the present system as the French Army had broken down he would not grudge £12,000,000, or even more, in effecting an alteration; but when they remembered that in the Peninsula, at Waterloo, in India, in the Crimea—everywhere, indeed, except in the shameful war against our brethren in America—our Army had been uniformly victorious, he could not help thinking that the necessity for the change had not been shown. There were many who advocated the abolition of the purchase system under the impression that the Army was an aristocratic institution, and that, somehow or another, with the abolition of purchase it would become a more popular institution and more democratic. No one sympathized more warmly than he did in any movement which had for its object the raising of the social standing of what were falsely called the working classes of the country. If he thought that the effect of abolishing purchase would be to raise the social standing or promote the well-being of the lower or middle classes, the cost of the alteration should not deter him from voting in its favour. But he did not believe that this would be the result, while he also felt convinced that after the expenditure of this £12,000,000 purchase would revive and commissions would still be sought by those who sought them now. It was only the other day that he had glanced at the *Army List*, when he found that, with an exception here and there, the names of the colonels and lieutenant colonels, for instance, were not the names of men belonging to the aristocracy, but the names of men who belonged to the middle classes. General Simpson, who took Sebastopol; Havelock, who served with such distinction in India, and Lord Clyde were none of them scions of noble houses. He felt convinced that after spending all this money we should find that we did not gain what we were seeking, and he could not therefore feel justified in voting for the expenditure of a sum of money which, if applied to the reduction of taxation, would so much add to the comfort of the people, and especially to the comfort of the working classes; and he should, on that account, though with great regret, vote against the Bill introduced by the Government. He regretted, too, having to vote against his hon. Friend (Mr. Trevelyan), whose Motion with reference to the Commander-in-Chief he had a few days since supported. He might add, before sitting down, that his vote on that occasion had been given in no feeling of personal hostility to the present illustrious occupant of that office, but purely on the abstract consideration that it was undesirable so important a post should be a life appointment.

Major ARBUTHNOT said, that having been but recently elected, it was with no little diffidence that he rose to ask the indulgence of the House whilst he stated his opinions on this important question. He should have not done more than record his silent vote had he not felt it desirable that every practical officer should make his opinions heard within the walls of that House, and by practical he meant officers actually serving, as he himself was. Not that he expected this would give much weight to his opinion with the Treasury Bench. On the contrary, perhaps, it might have exactly the opposite effect. He said this in no disrespectful spirit, but he could not help remembering that a most important measure in connection with the Army was recently passed against the unanimous military opinion of the House, with the exception of that of the hon. and gallant Member for Truro (Captain Vivian). Whatever might be the merits or demerits of this Bill, there could be little doubt that its fate would be decided and its acceptance or rejection determined by the attitude which hon. Members might take up with regard to the question of purchase. He did not mean as to the good or bad points of the purchase system itself, but as to the opinion which they might form of the propriety of the time selected by the Ministry for proposing its abolition, and of the mode in which their scheme provided for the replacing of the purchase system by any other method of officering the Army. His objections to the Bill were two-fold—first, on account of the enormous expense which would be necessary to carry it into effect and to meet the just claims and vested interests of officers now serving; and, secondly, because no method was proposed for preventing that stagnation of promotion which was so detrimental to the efficiency of the service. His hon. and gallant Friend who brought forward this Motion (Colonel Loyd Lindsay) had alluded to the great expense which would be attendant on the abolition of purchase; but had not alluded to another very costly element—the effect which the Bill would have upon the military labour market. He himself had been but a very few days in the House; but during that time he had heard a speech delivered by the hon. Member for Brighton (Mr. Fawcett) upon the absurdity of expecting highly educated young men to enter a profession in which they were expected at starting to live on a miserable pittance of £240 a-year. Much better, he thought, live on £240 a-year than starve on £70 a-year, which was the position in which young men found themselves on first obtaining commissions in the Army. If this Bill became law it would be necessary to raise the incomes of junior officers to an amount which would enable them to live as gentlemen, for, though talented and well educated, they would probably be for the most part men of very small private means. Otherwise, the inducements to enter the Army would be very small indeed, notwithstanding the attraction of wearing Her Majesty's uniform, and the prospective honour and glory of being shot in defence of their country. Increase of their pay would, of course, make itself felt through every grade of the Army; and, though the item of pay formed but a small portion of the Army Estimates, by the abolition of the purchase system it would be very materially increased. The Secretary of State for War had told them that promotion would be much accelerated by the substitution of the public purse for private purses. What had the public purse done for the scientific and non-purchase corps, to which he had the honour, or, perhaps, he should say the misfortune, to belong? And he used the word "misfortune," because he thought that the Ministry were not at all alive to the very great detriment to the efficiency of those corps arising from the stagnation of promotion. He by no means came forward as an advocate of the purchase system. On the contrary, he was prepared to support any scheme for its abolition which at the same time would secure a flow of promotion, and recognize the just claims of vested interests. But such was not the case with the present Bill, which unsettled what existed without determining that which was to take its place. He must accordingly give his vote in favour of the Amendment.

Mr. HEADLAM said, that during the time when he had the honour of being officially connected with the Army, he had occasion more than once to consider the question of purchase, and he was desirous of stating to the House the conclusions at which he had arrived upon the subject. The hon. and gallant Member (Colonel Loyd Lindsay) had no need to make an apology for introducing an abstract Resolution on the second reading of the Bill, because the subject of purchase was so important that it was desirable that the House should have an opportunity of expressing its opinion on this question alone, without having it mixed up with the general question of the second reading of the Bill. It was scarcely possible to exaggerate the importance of the abolition of the system of purchase, whether regarded in its effects upon the Army, or in its effects upon the Estimates in the sum that would have to be paid by the taxpayers of the country. First, so far as the Army was concerned, they could not help recollecting that the present system of purchase, whether it was good or bad in itself, had formed part of the constitution of the Army since the time when first a Regular Army was established in this country. We were about to establish the Army on a new basis. Again, so far as the taxpayers were concerned, we were about to spend, according to the Government, £8,000,000, and according to Gentlemen opposite, £12,000,000. These were matters deserving the grave consideration of Gentlemen below the Gangway. He entertained a strong opinion that the purchase system was bad and vicious in itself; so much so, that he had sometimes thought himself of bringing forward a measure for the abolition of the purchase system. But he had been met by two arguments which always seemed to him too strong for an independent Member to grapple with. The first was that, be the system of purchase bad or good, the Army had flourished under it, and had deserved well of the country. The other argument was that, although the abolition of the system would involve a very large outlay, nobody would be thankful for it, but, on the contrary, many persons would consider themselves aggrieved by the change. Though he was unable, personally, to vote for the Amendment, he assured the hon. and gallant Gentleman who had moved it that he did not, in the slightest degree, concur with those who cast censure upon him for the Motion. No man was better qualified to speak of the deeds of the Army than the hon. and gallant Gentleman in his own person. In spite of what might have been said at public meetings, he thought this country had every reason to be proud of its Army. At all former periods of history, it could bear comparison with Continental armies, and it had done its duty upon every field on which it fought. Without going back to historic periods, it was sufficient to call to mind the fact that, in modern times, the British Army had been tried in many serious campaigns—in the Crimea, in India, in Abyssinia, and everywhere it had gallantly done its duty. And although it might be true that the officers were nurtured in luxury, and that many of them belonged to the rich and aristocratic classes, yet we know that not only, as might have been expected, have they never avoided the dangers of war; but what was not so certain, considering their previous habits, they have borne cheerfully, and without complaint, the evils and privations incidental to war. Besides that, they had done what was the greatest possible achievement on the part of an officer, they had won for themselves the confidence and loyalty, and, in many cases, to use a stronger expression, the affection of the troops under their command. Now, when the Government came forward, and made a distinct proposal on the subject, the House had to consider whether sufficient cause had been shown for the abolition of the purchase system. In arguing the matter, he must draw a distinction between the regulation and the over-regulation prices. The Resolution was to the effect that neither should be done away with; whereas the proposal of the Government was to abolish both. Now, the fact was that regulation prices and over-regulation prices by no means stood on the same footing, and he wished it to be clearly understood that the arguments he was about first to adduce were applicable to the regulation prices only. Many years ago he came to the conclusion that the regulation system, under which the country received a certain sum of money from the persons it admitted to its service, was an essentially vicious one, not creditable to a great country; one that ought to be put an end to; and he came to this conclusion, although he was not prepared to say the system might not confer some pecuniary benefit on the country. The Secretary of State for War put forward as his chief argument that it was necessary to do away with the system of purchase, because the country had decided upon an amalgamation between the Regular forces and the Militia. "And," said the right hon. Gentleman, "it will be necessary either to do away with the system of purchase in the Army or to establish it in the Militia." For his own part, he confessed that argument had never crossed his mind, and he gave his right hon. Friend great credit for his ingenuity in devising it. Far be it from him, however, to say that there was not some force in it. It struck him, however, that this argument was more Parliamentary and popular than substantial. The House was, more or less, committed to Army re-organization; and therefore, to those who wished to abolish purchase, it was a very good way of putting it, to say that we could not get a better re-organization until purchase was first got rid of. If, however, the system of purchase was a good thing in itself, he thought the difficulties incident to re-organization might be obtained without the abolition of it, and that we should be able to get a sufficiently good re-organization without paying £8,000,000 for it. The ground on which he had always felt that the system of purchase in the Army could not be defended was that, as he had stated, it was wrong and discreditable on the part of the State, and that it produced many hardships and great injustice as regarded the officers. We learn from the Report that, at the time the system of purchase in the Army was introduced it prevailed also in the Civil Service, and he confessed his inability to comprehend why, if it were right in the Army, it should be wrong in the Civil Service. If every right hon. Gentleman on the Treasury Bench paid a certain sum on entering office, the State would have derived a pecuniary advantage from the transaction precisely as it did from the Army at the present moment. In his time the office of Secretary of State for War had been created. If a system analogous to that which prevailed in the Army existed in the Civil Service, the last Secretary of State for War would have paid £5,000 for his place to the State, and each successive Secretary of State, on coming into office, would have paid this sum to his predecessor leaving office. He had no doubt that Ministers would have done their duty under such a system in the same way that officers in the Army did their duty; but the system itself would be no less false and harsh, and he, for one, would have been quite willing to the payment of a large sum to get rid of it. He did not think there was any difference in principle between the State and a private employer. Suppose a banker, or the head of a mercantile establishment, borrowed money from every clerk in his employment, and used it in discharge of his obligations, leaving it to the clerks who had thus paid their money to the firm to obtain repayment from those who succeeded them. Everyone would have admitted the impropriety of this practice, and would expect that the firm would come to a bad end. And if the firm had succeeded, it would be held that its success was in spite of the viciousness of the principle rather than in consequence of it. He had always felt that the system of purchase, so far as the State became a borrower from those it employed, was one that could not be maintained. He was prepared to show some of the hardships that arose out of the system. It was said by his right hon. Friend that, under the purchase system, an officer killed in action would not now lose the money he had paid to the State in respect of his commission. This was in consequence of the Royal Warrant of 1856; but the contrary was the effect of the original system of purchase. During the Crimean War so many cases were brought under his notice of the extreme hardship of officers being compelled to go into active service with the weight of the money they had expended hanging round their necks, that he determined on bringing the subject before Parliament. He moved a Resolution, in 1855, declaring it to be the opinion of the House that the regulation value of the commission should be paid to the representatives of officers killed in action. The House was with him; but, as frequently happened, the Government, in order to avoid something in the nature of a hostile Division, came forward with certain proposals, and he refrained from dividing on the Motion. The promise given by the Government was to the effect, that when an officer died in active service his representatives should either receive the regulation value of his commission or a pension. A Royal Warrant was issued in consequence of that promise; but shortly afterwards he felt it to be his duty to draw the attention of the House to the unsatisfactory manner in which the promises made had been fulfilled, and unless the Royal Warrant had been altered, which he believed had not been the case, it had become an absolute absurdity, and had done scarcely any good in the Army. He alluded to these facts as one of the incidental hardships arising out of the system of purchase, and he believed that, with few exceptions, when an officer went into active service he not only risked his life, but also the loss of the money he had paid for his commission. When a young man entered the Army he paid his money under the expectation that a certain system would be carried out, and it was one great evil of the system that it was construed one way by those who paid, and another by the State who received the money. Great discontent was occasioned by the fact that when an augmentation of the Army took place the State sold commissions, instead of granting them, to non-purchase officers, and when a diminution took place there was always great heart-burning, because officers were squeezed out of the service and placed in positions to which they had never looked forward. He held in his hand a letter from Colonel Hart, the editor of the *Army List*, which stated that, under the purchase system, a non-purchase officer often rose from the junior to the senior rank in half the time he could under the non-purchase system. Colonel Hart added that he was in favour of the reform, and not of the abolition of the purchase system. He also mentioned individual instances, and stated that in every case there was no way of getting an answer from the War Office. What the War Office did was this — They said the matter was decided by the Treasury, and that there were no means of entering into the question with the Treasury as to whether their decision was or was not in accordance with the system of purchase. Now, suppose that a banking company took money from their clerks, and that on a question arising the company allowed no appeal from their decision, but were advocate and judge in their own case, could such a system be considered just? That was an additional reason why the State should not traffic in money with those whom it employed. He was therefore prepared to go to the extent of making a sacrifice by paying sufficient to get rid of the regulation portion of the system of purchase? That would involve a very much less sum than the Government asked for. [Sir George Grey: £3,500,000.] It might be £3,000,000 or £3,500,000; but he did not think an accurate calculation could be made on the subject; but even at that sacrifice he was prepared to abolish the system. He fully agreed, too, with those who held that if it was to be done it was better it should be done quickly. He came now to the non-regulation price. The payment of the over-regulation price stood upon a perfectly different principle. How was it that the non-regulation prices had grown up? They had grown up out of two principles now in force in the Army — one was that promotion, Army as well as regimental, went with promotion in the regiment; and the other was that, as a general rule, it went within the regiment according to seniority. These regulations made it the clear interest of the officers in every regiment to expedite promotion in their regiment as much as possible; and hence the practice grew up for the junior officers to subscribe and induce their seniors to retire. This practice was the immediate certain consequence of the regulations—there was no particular harm in the practice, and if the State had made rules which led to such a practice, it could not complain of the consequences. Now, the payment of over-regulation prices had, at all times, been prohibited, and formerly very stringent rules had been laid down to prevent the growth and continuance of the practice, but whilst the general rules concerning promotion led almost necessarily to the practice, prohibitions to the contrary had proved nugatory. In modern times the practice had been recognized and acquiesced in. Under these circumstances, he could not agree with those who would at one and the same time alter the system of promotion under which officers had been led into these payments, and refuse them compensation for what they had paid. If promotion by seniority be abolished, and promotion by selection be adopted, over-regulation prices must be paid. Then arose the question, was the introduction of the principle of selection worth the price it was proposed to pay for it—

for it was the principle of selection alone which rendered it necessary to pay over-regulation prices? But, if promotion by seniority, as a general rule, be maintained, then there was no reason why our regulation prices should be paid. It was the proposal to adopt the principle of selection which caused all the discontent; and this discontent would not be healed even by the payment of over-regulation prices. Men had subscribed and paid their money on the faith of the rules of the service, in the hope, and with the object of obtaining ultimately the command of their regiments. It would not satisfy them for the Government to say to them—"You may take yourselves off, and leave the service, and then we will return you your money." They did not wish to leave the service. They wished to continue in the service, and get the promotion for which they had both served and had paid. It was the adoption of the principle which caused all the difficulty, gave rise to the discontent, and entailed the necessity of paying the over-regulation prices. The question for the House to consider was whether the principle was worth the cost. Now, how stood the matter with respect to this principle of selection? Some years ago the Duke of Cambridge had given evidence before a Select Committee of this House, concerning the great difficulties and serious objections incident to a system of selection. This opinion had been animadverted upon strongly before the country by his hon. Friend the Member for the Border Burghs, and it had been seriously asked that for giving such an opinion the tenure of the office of Commander in Chief should be altered. He trusted that the time would never come when anyone, whether a Royal Duke or the humblest person in the realm, would suffer for giving a conscientious opinion, whether right or wrong, before a Committee of this House. To confess the truth, he agreed with that opinion. He thought that there were infinite difficulties in adopting the principle of selection. The House must recollect that the question it will have to decide was, whether it was worth while to pay so large a sum, and excite so much discontent, for the purpose of rejecting the system of promotion by seniority, and adopting the principle of selection. Recollect that in the Artillery and Engineers, the system of seniority was strictly and sternly enforced, and yet the Artillery and Engineers were held up as the best force in the Army. The course the Government should adopt was — pay the regulation prices at once, and be done with it. Get the State out of the false position in which it is now placed. We shall then have done all that is really necessary. Let the system of promotion continue, not materially different from what it is at present. Thus, millions would be saved to the taxpayer, the amalgamation of the Line and the Militia might be accomplished, and the discontent of the Army would be appeased.

MAJOR GENERAL SIR PERCY HERBERT said, he thought there were matters in the Bill which would require many nights' debate, independently of the question of the abolition of purchase in the Army. On a former occasion, when the question of abolition of purchase was being discussed, he had stated that he had no objection to accept the principle of the abolition of purchase if qualified by two provisoes. The first being that the efficiency of the Army should be guarded by a good system of retirement, which would prevent it from degenerating in consequence of the old age of the junior officers; and the second being that the Government should deal faithfully with the vested interests of the officers. One of these provisoes, that of the retirement of officers, was completely shirked by the right hon. Gentleman the Secretary of State for War, and the other was one which he was quite sure the House of Commons would have no desire to deal with lightly or ungenerously, and he believed that such a sentiment would find acceptance below the Gangway on the other side of the House. The Secretary of State for War had very handsomely admitted that the over-regulation prices must be dealt with in the same way as he proposed to deal with the regulation prices. Let the House consider for a moment what the system of purchase was. There had been a great deal of misapprehension and of misconception out-of-doors upon this subject. The system of purchase was not, as had been popularly supposed, the putting up a commission for sale to the highest bidder, although many hon. Members in their speeches delivered in the country had adopted that view of the subject. The hon. Member for the Border Burghs (Mr. Trevelyan) had made a statement to that effect not in the heat of debate, but deliberately in a speech which he had subsequently printed and published in the form of a pamphlet. That was a total misconception of the purchase system as it was now in force. The truth was, that the senior officer on the list, whether he were captain or lieutenant, could not be passed over by any junior officer, provided he was possessed of the regulation price, if he chose to enforce his right. That was a fact perfectly well known in the Army, and it was rather too bad that Members of the House of Commons, whose remarks on the subject were faithfully and fully accepted by those whom they addressed at public meetings, should make such statements, which, if made in the House would be contradicted and put right in five minutes. Let him now say what, in his opinion, the purchase system really was. In the scheme of retirement it had been found to be the only means of securing a proper flow of young officers to the Army, because it had supplemented the amount paid from the public purse, and so made it worth the while of officers to retire earlier than they would have done otherwise. The Secretary of State said the other day that the efficiency of the non-purchase corps had been seriously compromised by the slowness which existed there, in spite of the enormous increase in the Royal Artillery during the last 30 years, and considerable retirements on full pay which had been offered from time to time by the Government. The country had recognised the system of officers entering the Army by paying for the retirement of their predecessors; but the money which they would be entitled to receive on the abolition of purchase was now employed in paying the retiring allowances of those men who, from ill-health or advanced age, had become unfit for the service. The object of purchase had been fully attained, for they had had in the purchase corps younger men than in any other branch of the service. He recollected that at one time promotion in the Marines—a non-purchase corps—was so slow that a captain had a son in the service. It was evident that a man who was old enough to have a grown-up son in the service, was not fit to go through the fatigue of handling his company in the field. The Government said with some force that the present system was bad, because as officers barely got back the interest of their money it was an unpaid service. But they were not going to abolish this evil, because the money for which they asked the House would not go to the officers, but would in a great part be withheld until even so distant a time as the year 1900. There would be another disadvantage under the proposed scheme, for those officers who had not paid for their commissions would be in a better financial position than the officers who had entered the Army under the present system, and who would serve alongside of them. Hitherto the Government had always allowed old soldiers to enjoy any advantages which might be held out to younger men. It might be said—"Oh, the officers now serving could not get back their money under the present system." No doubt that was true, and if matters remained in their present position they would not put forward any claim to it; but if a serious alteration was made in the conditions of service a clean sweep must be made, and the officers repaid all the money they had invested in the purchase of their commissions. Under the scheme of the Government, officers would be open to the disadvantage of obtaining their promotion with a regiment different from the one in which they had served, rather than submit to which many officers would prefer to leave the service. A captain who chooses to remain in the service under the present system is sure to get his lieutenant colonelcy in course of time, and after 20 years' service he is entitled to retire, receiving the full price of his commissions—£4,500 for a lieutenant colonelcy—whether he obtained them with or without purchase. By doing so he gives up all claim to the half-pay of £200 a-year. Under this Bill, however, he is on quite a different footing, for he will only be allowed to receive the price of a captain's commission which he holds when the Bill passes—namely, £1,800 in lieu of £4,500 which he would get under the existing system. It is evident that £1,800 is no equivalent for the £200 per annum half-pay which he must relinquish in order to obtain it; that the offer to repay him is illusory; and that the £1,800 he has paid for his commission will practically be confiscated. Therefore the boasted generosity of the Government amounted to this—that only those now at the top of the tree, or those who retired at once in the rank they now hold, would ever have the option of getting back their money at all, because it was manifestly a losing bargain that was offered them by the Government. Here, again, the question of retirement must come under consideration, inasmuch as when officers were forced to remain regimental promotion became clogged. Our boast had been that our service was voluntary; but this Bill would introduce compulsion. Until now there had been no bar to an officer's selling his commission and leaving his regiment, unless the country was in danger and required his services. The Secretary of State proposed to add another condition. He would say—"It is very true that the country is not in danger and your services can be spared; but I have no money in the till; I have overdrawn my account; and what is more, your regiment is in Hong Kong or Jamaica, so perhaps you will die, and that will settle the account; there will be no claim upon the country." Last year the right hon. Gentleman said he knew nothing about purchase. He proclaimed himself the Lord Dundreary of the War Office, and said—"It was a question that no fellow could understand." He (Sir Percy Herbert) thought at that time that the right hon. Gentleman done himself an injustice, and that he perhaps wished to get rid of a troublesome subject by making an indifferent joke. Now, however, the right hon. Gentleman repeated that view in a new form, and said that none but a prophet could tell what retirement would be required for the Army after the abolition of purchase. [Mr. CARDWELL: Hear, hear!] That was, no doubt, avoiding the difficulty, and leaving it to be dealt with by another Secretary for War; but he begged to remind the House that it had a duty to perform, and should not be drawn away by the cheers and jokes of the Secretary of State. It was perfectly clear that, on the abolition of purchase, if the Army is to be kept efficient, a retirement scheme must be found. The Government ought not to throw the work of devising such a scheme upon others; it would only be straightforward on the part of Government to tell the House what they thought would be necessary. The right hon. Gentleman knew, or could easily ascertain, the rules and regulations in the Indian Army, which consisted of non-purchase corps, and the same remark applied to the Artillery and Engineers at home; so there was no excuse for the Government asking Parliament to legislate in the dark on the question. With regard to the second part of the Bill, let him say, speaking as a soldier, that he did not object in the abstract to the abolition of purchase, and more especially did he not object to a scheme of military re-organization. He thought the country would make a bad bargain, financially, by the abolition of purchase; but he did not believe that, in consequence of the change, any injury need be done to the service, or that a different class of officers would come in. He trusted that the Government would reconsider their proposals, for he was unwilling even to appear to oppose the second reading of a Bill not only for the abolition of purchase, but for the re-organization of the Army. It was the desire of his heart to see the Army and the Militia well organized for the defence of the nation. He had hoped to see that some things sketched and touched upon in this Bill, had been efficiently provided for in the Bill or in the Estimates; but he did not think they had been dealt with in a very broad and comprehensive spirit. At the same time, he was most unwilling to be forced into an opposition to the Bill. He perfectly approved of the system of transferring the first appointment in the Militia from the Lords Lieutenant to the Commander-in-Chief. But what the abolition of purchase had to do with this transference he was at a loss to conceive. The difficulty had been in obtaining young officers to serve as subalterns. He maintained that the numbers to be provided, which the right hon. Gentleman provided for the Militia, were not sufficient. He did not want to see any large increase of the Army. He wanted to see a strong increase of the Reserve, and a strong increase in the establishment of the Militia. From a letter he had received from a colonel of Militia he learned that a great many of the Militia Reserve would not be fit for the service for which they were specially intended, in consequence of so many having joined since the restrictions as to height, size of chest, and soundness were done away with. Another objection relating to the provisions dealing with the Militia was, that there was no provision made for the training of the Militia recruits for any extra time. The right hon. Gentleman, in his speech the other night, spoke of training them for three months only, and in his Bill he took power for training them for six months, which he (Sir Percy Herbert) quite approved of. But in the Estimates no provision was made for such periods of training. He could only see £70,000 put down in the Estimates to train recruits; and that sum, according to his calculation, would only train 14,000 men for three months. Now, 14,000 men was not the number of men they would have to deal with; and, therefore, it was evident it was not intended to train them for more than one month. Then, with regard to the first Reserve, that Reserve is stated at 9,000 men, and even then it was manifestly insufficient. When a reduction had to be made, recruiting was stopped, and the standard was raised so high that men could not come in. We did not offer sufficient inducements to bring out the best class of men for recruits. [MR. CARDWELL: I have increased the inducement.] He was very glad to hear that. During the last six months the right hon. Gentleman had had admirable success in recruiting. He had obtained 25,000 recruits. He hoped the right hon. Gentleman would go on recruiting year by year, and fill up the Army of Reserve by thoroughly trained men. He ventured to tell the House a fact brought to his knowledge, bearing upon the importance and value of a real Reserve of trained soldiers. Last autumn he had gone over to France to see what he could of this extraordinary Prussian Army. A general officer, commanding a division engaged in the blockade of Metz, told him that the day the orders were telegraphed to him to mobilize his division, and move it to the front, his division was about 100 miles to the eastward of Berlin. His division was then on a peace footing of 7,500, and in 15 days from the receipt of the order his division was brought up to 15,000 men, all fully equipped and trained soldiers, and moved across Prussia to Saarbrück, and it was one of the divisions which took part in the battle of Spichern one week later. There was no reason why our own Army, in proportion to its size, should not be as efficient. It was not a Prussian Army he wanted; but our Army ought to be as efficient as any one of the 12 or 13 *corps d'armée* of Prussia. If one thing more than another was wanted for the purpose of making young raw men, such as Militia recruits must be, into soldiers, it was the establishment of Militia barracks. And how did the right hon. Gentleman propose to deal with that subject? He put two or three clauses in the Bill to enable quarter sessions to borrow money for building barracks; but why on earth did he do so? Barracks were a part of the national defence. And the right hon. Gentleman did this at a time when everybody was complaining of local taxation. The clauses in question would be mere waste paper. That was another instance of the Government attempting to shove responsibility off their shoulders. He, as a Member of Parliament, would certainly oppose any money being borrowed in his county. He gave notice that he would move in Committee the omission of those clauses touching on this point. It would be as reasonable to ask the country to revert to the old system of asking a maritime county to provide a ship of war. That was a custom of the time of Elizabeth, and he thought it was worthy to be placed along side of this proposal about Militia barracks. Why did not the right hon. Gentleman ask the metropolitan ratepayers to provide a barrack similar to that at Chelsea? It was because he (Sir Percy Herbert) was most unwilling in any kind of way to oppose the organization of the Army—it was because he was unwilling to oppose the abolition of purchase, if it was properly dealt with, that he hoped some indication would be given by Ministers, in the course of this debate, which would render it unnecessary for him to oppose the second reading of the Bill. But he would not be doing his duty, either as a soldier or as a Member of Parliament, if he were to sanction a Bill which struck at the efficiency of the Army by doing away with the only system of retirement now in existence, without a substitute, or that would sanction so gross an injustice to the officers and Army as to force them to serve upon new terms, without paying them back the money they had actually disbursed.

MR. WHITBREAD observed that it was quite true as the right hon. Baronet the Member for Morpeth (Sir George Grey) had said that the Commission of 1870, over which he had presided, was asked for no opinion and gave none; but, at the same time, the Report of that Commission was accepted unanimously, partly because the history of the matter led to no other conclusion than that which the Government had arrived at. The conclusion was that it was impossible now, in 1871, to separate the over-regulation price from the regulation price. Now, what did his right hon. Friend (Mr. Headlam) invite the House to do? The Government and the country having made a commission a subject of sale and barter, his right hon. Friend proposed that they should attempt to fix a price at which that sale was to take effect. Again, the Government might tell an officer the regulation price of a step was so much. But could he get the step without paying the over-regulation price? Surely not, and yet his right hon. Friend proposed to separate the two things. He would like to see his right hon. Friend on the Treasury Bench trying to carry a scheme of that kind through the House, a scheme based on the refusal to pay the over-regulation price. He had listened with great interest to the speech of the hon. and gallant Gentleman who moved the Amendment (Colonel Loyd Lindsay). It was a temperate and generous speech. He quite agreed with the hon. and gallant Gentleman that this question should be far removed from party, and he wished the gallant Seconder (Colonel White) had seen it in the same light, because then he would not have made what was a reckless and cruel assertion, coming from that side—that the Government had taken up this matter merely as a means of strengthening their party. The truth was that the proposal to do away with purchase was not acceptable to the Army now; but a year or two hence it would be recognized as a very great boon. It was not a proposal which could be very acceptable to the taxpayers. To what quarter, therefore, could the Government look for support, unless to those who, seeing the serious events of the last six months, wished to place the Army of England on an efficient footing? He had himself never been moved by sentimental arguments on either side of the question. He had never voted for the abolition of purchase, or believed that it was a class question, or that it was a gross injustice to the poor man, or that it kept men from rising from the ranks, or that it had given us anything but the very finest material in the world for our officers. He quite admitted certain advantages in the system of purchase. He did not know what the calculations of the hon. and gallant Gentleman (Colonel Loyd Lindsay) were as to the cost of abolition; but he agreed with him that the amount was not to be limited by the actual price paid for the commissions. There was behind another, and quite as serious a question—the question of retirement. Anyone who knew anything about retirement in the Navy must admit it. The gallant Officer quoted the words of a French marshal who had the greatest opportunities of judging between our system and the French system, and his advice was not to follow the French system. But did the one hang upon the other? Not at all. It had been suggested that there was a danger of the system of purchase cropping up again. He did not think it was a danger with which Parliament would ever have to deal. If purchase ever cropped up again it would be more in the shape of a mode of facilitating retirement—something given out of pay in order to create a greater inducement to retire. Then the gallant Officer thought a different class of men would enter the Army. But why? Would any hon. Gentleman opposite object to his son entering the Army because he could not purchase promotion, but must enter into competition with his fellows? What class would have a better chance in the competition than those who now filled the rank of officers in the Army? The gallant Officer had said that the system of selection must interfere with the regimental system. Now, everyone who had studied the history of the British Army must know the value attached to the regimental system. But was it necessary that the system of selection should be so ruthlessly exercised as to put an end to the regimental system? And had hon. Gentlemen never heard of such a thing as exchanging from one regiment to another now? The gallant Officer had seen something of the Prussian system actually at work, and what was his argument? It might be summarized thus—"The Prussian Army system has been a magnificent success; the French system has broken down; therefore, I counsel you, do not adopt the system of the Government, which has almost everything in common with the Prussian system, and nothing with the French." That was literally the argument of the gallant Colonel. He admitted the difficulties of the question; but he felt so sure—and in that respect he entirely agreed with the hon. and gallant Gentleman who spoke first in the debate—that what we wanted now in our Army was organization, that he should give his support to the proposal of the Government. It was because the system of purchase blocked the way, and that those who wished to effect reforms in our military system found themselves led into a trap and checkmated by it, without a move left upon the board — that he, for one, should vote in favour of its abolition. If we were satisfied with the condition of our Army as it stood, and that no further change was to be made when purchase was abolished, then we ought not to ask the country to pay the gigantic sum which was necessary for the purpose. But if we were anxious to have reform and organization, and to have the different branches of the Army brought into harmony with one another, the first step which we must take was to sweep away the system of purchase. The hon. and gallant Gentleman who spoke last had told the House what purchase was, and what it was not, and he concurred with him in his definition of what it was not. It was not putting up a commission to the highest bidder; but he must differ from the hon. and gallant Gentleman when he said that an officer who offered the regulation price could not be passed over, and might insist on his rights. [Major General Sir PERCY HERBERT: Without his own consent.] Now, that was but a very partial and a very technical statement of the case. It was, of course, quite true that the officer who paid the regulation price could not be passed over; but then he could not always get the officer above him to leave, so that he was not in a position to rise himself. [Major General Sir PERCY HERBERT: He cannot be purchased over.] No; but he could not insist on his right and could not get his step. What under those circumstances sometimes happened was that the step went into another regiment. The most distinct evidence upon that point had been given before the Commission, and the hon. and gallant General had clearly overstated the case. But he went on to say—Conceive when this Bill passes the hardships which will be inflicted, and the ill-feeling which will be created between those officers who receive promotion in the Army by means of competition and selection, and who are serving side by side with the purchase officers. As things at present stood, however, were not the purchasing and the non-purchasing officer serving side by side? He concurred with those who thought there would be some difficulty in working out the proposals of the Government with respect to the retirement, and if he believed those prophets of evil who predicted that if the Bill before the House were to pass into law, the rank, culture, intelligence, and wealth of the country would no longer be found in the Army, he should greatly hesitate before he recorded his vote in favour of the second reading. But had, he would ask, the profession of arms no charms for us beyond that of being, for the most part, one which the rich only could hope to enter? To suppose that would be to suppose that this was one of the most degenerate of nations. The military had been, and must always be, one of the grandest of professions, and he, for one, could not imagine that because admission into that service was no longer a question of sale and barter, the best and most promising of our youth would hesitate to join its ranks. Was it because when they did join they were to be placed in keen competition with their fellows that hon. Members would not allow their sons to enter it? Surely, they did not think so meanly of those who were near and dear to them? His belief was that when they got rid of this abominable money question — it was a low, paltry, niggling consideration — if they once made a bold step and got rid of the difficulty, they would have some chance, not only of making the service still more acceptable and more delightful to those who had served in it, and those who would now join it, but they would have the opportunity of rendering it the most intelligent, the most cultured, and the strongest Army in the world.

CAPTAIN TALBOT: Sir, I trust I may be allowed to make a few remarks upon this Bill; and, as one of the few officers upon full pay in this House, although I do not presume to speak in the name of the profession, still, as one of those personally interested in this scheme, the House will, perhaps, kindly bear with me. Now, Sir, the first question that I ask myself on reading the Bill, and after listening to the speech of the right hon. Gentleman is, does it provide for the "better regulation of the land forces?" does it provide for the best regulation that can be devised? does it insure such an improvement that our land forces may be welded into one homogeneous organization? and, above all, does it insure such an organization that, in case of imminent danger, the whole force can be mobilized on a war footing with rapidity, and systematically without confusion? I say, Sir, that unless every one of these questions can be answered in the affirmative, that the Bill does not meet the demands of the day, and that we should be failing in our duty if we allowed this great opportunity to pass without placing the nation in such a state of defence as the occasion calls for. I say great opportunity, for at last public attention is roused, and we have the force of the terrible example in the fate of France to warn us of what may be our lot should we, too, live on in a self-complacent sense of security. With regard to the mobilization of our forces, without which numbers are of no avail, perhaps I may be allowed to quote from a pamphlet just published in Berlin by an Englishman, an officer in the Prussian cavalry. He says—

> "In time of peace all is held in readiness, in order that an Army may be made mobile on the shortest notice—*i. e.*, placed on a war footing and marched into the field, &c., &c. . . . . . Each commander of a *corps de armée* augments his corps quite separately; he not only has to see that the necessary number of men are called out, but that *everything* that a corps would require in the field be supplied. In this manner it is possible to place the whole Army on a war footing in 14 days."

Now, I should like to ascertain how far we fall short of such perfection of organization? Does the Bill, does the speech that explained the Bill, give or show any prospect of such a desirable result? I fear not. It is of the utmost importance that our shortcomings should be measured; and I should be glad to hear that the right hon. Gentleman had ordered, without notice, without preparation, the whole available force in the kingdom — Regulars, Militia, Volunteers — to assemble in 14 days on Salisbury Plain, or some other open space, in every respect as if upon a campaign, and entirely dependant upon its own resources—complete in its transport services, commissariat, &c., and with medical and hospital arrangements, upon a scale that would be requisite in war. Such a test could not fail to be most instructive to officers and to men; and, if successful, most satisfactory to the nation — and, if not, would give a knowledge of shortcomings and defects, instead of waiting for the disastrous experience of actual warfare. I hope that some of the £177,000 I notice as an increase in the Transport Vote is intended for some such purpose. Now, Sir, with regard to the first portion of the Bill, it is entirely devoted to the abolition of purchase. I fear that the hon. Member for the Border Burghs will not credit any officer who has been demoralized "with bargaining in commissions" with any patriotic spirit, or with any other than a spirit of selfish love and self-advancement; but I hope the House will believe that I have endeavoured to approach this subject impartially and without prejudice. With respect to the abolition of purchase, it seems to me that before a system which has stood the test of past experience, and especially in times of war, which has provided the Army with officers competent for their duties without charge to the country, and with satisfaction to themselves—I say before it is abolished we ought to have some assurance that its substitute will contain none of its defects, and will have no greater defects of its own. Very little has been urged against the present system, except individual cases of injustice, which will happen under any system, and that men unfit for promotion are placed over the heads of those who are fit—an event that can never occur if the rules of the service are carried out. In theory it is objected to as demoralizing to officers to have to bargain for their appointments; but in the same breath we are told by Royal Commissions, supported in opinion by the right hon. Gentleman, that the country has been well served by its officers and in a manner highly creditable to them. Surely there is some contradiction here. Well, granted that there are defects in the present system which might be remedied, what is proposed in its place? I will not say a word as to the pecuniary terms offered, for, being personally interested, I think the House will be of opinion that it would be better taste on my part to leave alone that part of the subject to those not interested; and I am quite content to leave it in the hands of hon. and gallant Members, especially of the gallant Member for Bewdley (Major Anson), who has done such good and distinguished service with the Army in the field, and for the Army in Parliament. What is the new system proposed? Seniority and selection — seniority means stagnation, selection means favouritism (or fancied favouritism almost as pernicious); discontent, and stagnation, unless some forced retirement is adopted, which means injustice and expense. Have we not striking examples of services in which there is no promotion by purchase? Look at the Artillery. Is it not sad to see men of the highest merit occupying positions they were fit to hold 20 years ago, and men of the greatest promise sick to death with the hopelessness of advancement? And when a retirement scheme is proposed it cannot be adopted, and why? Because it costs so much money. If this is the case in dealing with 2,000 officers, what will it be when an additional 6,000 have to be provided for? Again, look at the Navy where there was selection, a little seniority, and a great deal of luck. The system of promotion in the service was well described by a distinguished naval officer—"Ever since I entered the Navy I have been a beggar. I had to beg to get in at all. I had to beg to be made a mate, then for a ship. Then I had to beg for my lieutenancy, and then, again, for a ship. I had to beg to be made a commander, and then for my first command. Then, again, for my post captaincy; but the hardest 'beg' of all was for employment to save myself from being put on the retired list." This is a fair sample of naval opinion, and certainly naval officers are not, as a rule, contented men. Was the system so successful as to encourage its imitation? We are asked to abolish purchase, and no scheme for retirement is even shadowed out, and yet we know it will be necessary, and that the cost will be greater and perpetual. There is another point I particularly wish to advert to—namely, the destruction of the regimental system, which follows the scheme of the Government according to the right hon. Gentleman the Secretary of State for War. The Judge Advocate (Mr. Davison) had said it did not touch the regimental system; but the right hon. Gentleman said most distinctly that it would be impossible to prevent purchase cropping up again, unless above the rank of captain promotion ceased to be regimental. If this is so, it is quite sufficient to condemn the Bill. It will be the death-blow of the regimental system—a system that has never failed when all other departments have broken down. If you make it the practice to give majorities and lieutenant colonelcies to men not in the regiments, you will destroy the corner-stone of the whole fabric. Now, a regiment is bound together by traditions, and by the affection and attachment of its members to their corps and to one another. We know one another, can depend upon one another, and all have a common interest. We look forward to commanding not a regiment but the regiment in which we have grown up as a portion of it, and in which we have acquired all our professional knowledge. Again, there is a link between the old officers and those still in the regiment, urging us, if it were necessary, to maintain the credit and efficiency of the old corps. A friendly interest and criticism is maintained most beneficial to the Army. And is this sort of feeling to be lightly thrown away? I confess I would rather see purchase abolished without compensation—an act of injustice, which would effectually prevent its recurrence (the object in view)—than that the regimental system, in its most essential particular, should be broken into. The chief reason the right hon. Gentleman gives, after his theoretical ones, is that the purchase system stands in the way of amalgamation of Line and Militia; but what has he done towards it? Nothing but what might be done before. Militia ensigns are to get commissions in the Army, and Army captains to serve as adjutants in Militia for limited periods. I think I see the difficulty that met the right hon. Gentleman when he came to deal with the very plausible idea of amalgamating the officers of the Line and the Militia. Take the cases of captains in the Regulars. What position were they to take in the Militia? Were they to rank above them, either as field officers or as senior captains; or were they to be placed below the captains of Militia? In the last case, you would not get a captain of the Regulars to serve in the Militia; in the former case, you would stop all promotion of Militia officers, disgust them with their service, and effectually destroy what the right hon. Gentleman says he is most anxious to maintain—the county character and influence of that force. I do not think the right hon. Gentleman has made out his case. He urges little against the old system, which admittedly has worked so well, especially in war—after all the only test. He offers us what has been tried and failed and is disliked—the principle of selection founded on seniority. This necessitates compulsory retirement; but we have no proposal before us, and the only certainty is its large cost. As the only means of destroying purchase, he destroys the regimental system. The object of all this change is the amalgamation of Regulars and Reserves, which is impossible—except to an extent that might be accomplished under the old system—without sacrificing the county influence. Last, but very important, the cost of this, even in a manner considered illiberal by impartial authorities, will be £8,000,000, not including a large annual charge for retirements. I was sent to this House as unpledged as any Member; but I did give one assurance, and that was that I would support measures that promised increased efficiency with proper economy. I think this Bill neither provides for the one nor satisfies the other. I am desirous of doing all in my power to promote the re-organization of the Army; but I not only feel that an efficient Army does not necessarily imply a heavy and extravagant expenditure, but I do not believe that the plan before us will have the effect which all real Army reformers desire to see brought about. I do not think the Government should force this question upon Parliament. You cannot say there is any great feeling in the country, for it knows little of the matter; and if it continues to have, as its principal source of information, the hon. Member for the Border Burghs, it will be some time before it understands the question. Is not the inference of all his speeches that the purchase system means that commissions are sold by auction to the highest bidder; that merit is never recognized; and that no checks exist to prevent incompetent men obtaining advancement? Nothing can be more absurd; Crœsus himself could not attain the head of a regiment, unless at every step he had proved himself qualified for promotion. I wish to touch upon but one other point in connection with this part of the subject. The Prussian Army is officered on an aristocratic and exclusive principle, while the French was officered on democratic principles—any man being permitted to join the Army as an officer, provided he passed the necessary examinations and got through the military schools. The British Army occupies a position between the two; it is officered by men of all classes and greatly to the advantage of the service. Now, I ask the House to beware in passing any measure where there is danger in an approach to the French or democratic principles. That remark may be considered unwise and foolish by hon. Members below the Gangway; but it is my opinion, and I see no reason why I should not express it. To turn to the latter portion of the Bill. I do not object to the extension of the principle of short enlistment. I confess I am a convert; for last year I saw great difficulties in the arrangement of foreign and Indian service, and I did not consider that they were counterbalanced by advantages; but now I see the necessity of having a large number of trained soldiers at hand—more than is possible to have serving in the ranks. The Prussian system was brought about by the limitation of a standing Army, dictated by Napoleon, in the Treaty of Tilsit, after the battle of Jena. We, Sir, have no such disgraceful page in our history, and yet we have almost as rigid a limit to the numbers of our Army in the force of public opinion, and by the vast cost any considerable increase would entail. I wish the right hon. Gentleman had dwelt more upon this subject of Reserves, and had given us some idea of the numbers he proposes to obtain in future years. I hope he does not intend to fix as a maximum 20,000 men for the first Army Reserve and 30,000 for the second. I hope he will not rest until he has 500 men, at least, in each Reserve for every battalion in the service. I wish we had heard more of a large increase in the cavalry and a further increase in artillery. I think the localization of regiments in the associating Line with Militia is wise, and I trust it may be carried further. The taking from Lords Lieutenant the appointments and promotion is conducive to a better system, and is, I believe, not disliked by many Lords Lieutenant. And now, Sir, I conclude. There is much that I should like to touch upon; but I have already wearied the House too long. I will only say that I trust some system will be devised for making available the considerable numbers we have nominally. I do not wish—indeed, it is impossible—that we should have a standing Army large enough to vie with Continental powers; but we must have the means of rapidly filling our ranks with trained men. With a well drilled Militia to set free the whole of our regular Army, and with our Volunteer force as a last line—one which would nobly fulfil its duty if called upon, though I trust it never may—we should be free from danger and from panic. Great Britain would be enabled to pursue a dignified policy, and not that dictated to her by the Official Journal of Versailles—a policy of obliteration.

LORD ELCHO moved the adjournment of the Debate.

Debate *adjourned* till *Thursday.*

EAST INDIA REVENUE ACCOUNTS.

COMMITTEE. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Question [28th February], "That this House doth agree with the Committee [on East India Revenue Accounts] in the Resolution which upon that day was reported from the said Committee."

Question again proposed, "That this House doth agree with the Committee in the said Resolution."

Debate *resumed.*

COLONEL SYKES: Mr. Speaker—Sir, this is the third time I have been before the House in the small hours of the morning to my grief. I have a good deal to say in support of my Motion to re-commit the India Revenue Accounts; but, at this hour of the morning (12.30 a.m), and after the exhaustion consequent upon the seven and a half hours debate on the Army Organization Bill, I must confine myself to a recital of facts, which I beg the House to bear in mind are derived from Returns from the India Office, or from Parliamentary Returns, and I am not in any way responsible for them. I have various reasons for moving that the Report upon India Accounts be re-committed; and the first is the utter untrustworthiness of the figured statements laid before the House. This I shall prove from the Budgets of Sir Richard Temple, the Finance Minister in India; from a despatch of the Secretary of State for India; from a despatch of the Governor General of India, dated 20th September, 1869, and a despatch dated Calcutta, 4th January, 1870; and from the Papers my hon. Friend the Under Secretary of State for India himself put into our hands the other night. In 1868-9, Sir Richard Temple made a surplus of £52,000; but the Government of India made a deficit of £1,500,000, which might possibly be reduced to £600,000, and now, probably, in August, 1870, there may be a surplus of £100,000 to £200,000. The Secretary of State for India, in reply to these statements, said—

> "But it should be remembered that during the last 10 or 12 years there were very few instances in which the actual out-come of the accounts was not wholly different from the figures presented in the Budget."

The third authority is the Governor General of India, who, in a despatch to the Secretary of State for India, dated Simla, 20th September, 1869, in Paragraph 3, says—

> "Your Grace will remember that the Budget Estimate of 1868-9, after re-arrangements, in accordance with the principle now finally adopted in respect to the charge for Public Works Extraordinary, showed an expected surplus of £243,550, and that the Regular Estimate showed an expected deficit of £970,471. But the actual result is the enormous deficit of £2,273,362, being worse than the Budget Estimate by £2,516,912, and than the Regular Estimate by £1,302,891;"

But in the Governor General's despatch of 4th January, 1870, all these figures are changed. My fourth authority is my hon. Friend's own figures, which he has put into the hands of Members. The Budget Estimate for 1870-1 shows a deficit of £3,188,173, and the Regular Estimate of only £485,182—what the Actuals will turn out remains to be shown. In the article of salt, the Budget gives £6,177,370, and the Regular Estimate £6,069,500. The Accounts themselves, therefore, show that they are utterly untrustworthy. So much for my first objection to the acceptance by the House of the India Accounts. My second is the want of any report of the progress of taxation annually since the government of India has been assumed by the Crown, and particularly the absence of a comparison between the pressure of taxation upon the people in the last year of the government of India by the East India Company, 1856-7, and the present year, 1870-1 under the Crown. I have listened annually to the exposition of the annual Budgets by the India Minister of State; but have listened in vain for any such comparison. I did hope, however, with my hon. Friend's characteristics of generalization, comparison, and deduction, that he would have supplied the omission; but, as he has refrained from doing so, I will make the comparison for him, by stating the gross Revenue; the deficiencies; the revenue from salt; the debt in India and England; the cost of the Army, in 1856-7, the last year of the government of the Company, and the years 1867-8, 1868-9, 1869-70, and 1870-1, under the Crown, noticing also the recent imposition of the income tax and its effects.

Comparative Statement of the pressure of Taxation on India in 1856-7, the last year of the East India Company's Government, and the years 1867-8, 1868-9, 1869-70, 1870-71, under the Crown :—

Gross Income—1846-7, £26,084,681; 1856-7, £33,303,391; 1867-8, £48,534,412; 1868-9, £49,262,691; 1869-70 Actual, £50,901,281; 1870-71, £51,098,600.

Deficit, including ordinary Public Works—1856-7, £972,791; 1867-8, £1,007,695; 1868-9, £2,774,030.

Deficit, including extraordinary Public Works—1867-8, £1,610,157; 1868-9, £4,144,643; 1869-70 Actual, £2,480,095; 1870-71, £485,181.

Gross amount taxation, including deficits—1856-7, £34,276,182; 1867-8, £50,144,569; 1868-9, £53,407,334; 1869-70 Actual, £53,382,026; 1870-71, £51,583,781.

Debt in India—1846-7, £44,584,066; 1856-7, £55,546,650; 1870-71, £85,563,694.

Debt in England—1846-7, £2,299,600; 1856-7, £3,894,400; 1870-71, £40,106,083.

Total Debt in India and England—1846-7, £46,883,666; 1856-7, £59,441,050; 1870-71, £125,669,777.

Salt tax, increase 80·2 per cent — 1856-7, £3,368,684; 1870-71, £6,069,500.

Cost of Army, European and Native—1846-7, £9,054,098; 1856-7, £10,641,455; 1870-71, £16,403,206.

Income tax now 7½*d.* in the pound, none under the East India Company. Amount collected not mentioned.

An inspection of the statement shows that in 1846-7 the revenue of the Company was only £26,084,681; but in 1856-7, in consequence of the annexations of territory by Lord Dalhousie, the gross Revenue had risen to £33,303,391, and with the deficit of £972,791, the amount expended was swollen to £34,276,182. Under the Crown, in 1869-70, the actual receipts were £50,901,281, and the deficit £2,480,095, making a total expenditure of £53,382,026. The Regular Estimate for 1870-1—not the Budget—gives the income at £51,098,600, and the deficit at £485,182—total £51,583,781. Comparing the pressure of taxation per head on an estimated number of 148,000,000 of taxpayers under the Company in 1856-7, and deducting from the income the tribute money from feudatory Princes of £504,030, the result is 4*s.* 5½*d.* per head. In 1870-1, deducting the tribute money, which had risen to £737,400, from the income of £51,583,781, the result is 6*s.* 10*d.* per head, or an increased pressure of taxation upon the people of 53·4 per cent—certainly not contributing to the satisfaction or comfort of the people. The estimated population of 148,000,000 is derived from Parliamentary Paper 308, July 8, 1869. The most important tax affecting the health, the comfort, and satisfaction of the people, is the salt tax—the vegetable diet of the masses making it a necessity of life; and its increase of price necessarily diminishing consumption, inflicts a grievous evil. Nevertheless, the revenue derived from salt, which was £3,368,684 in 1856-7 under the Company, has risen to £6,069,500, an increase of 80·2 per cent under the Crown; but if the sum of £2,685,574, from an India Office Return of February, 1867, be taken as the basis for comparison between 1856-7 and 1870-1, the increased taxation upon salt would be 124 per cent. The income tax is a recent invention of the Indian Government, hitherto unknown to the people of India, and revolting to their social habits of reticence from its inquisitorial character. It is now 7½*d.* in the pound, nearly double the English income tax, and is levied from classes of the community—particularly in Bengal, wholly incompetent to pay it, leading, in its exaction by processes of law, in some instances to great oppression and suffering. I have had sent to me from Calcutta a pamphlet, entitled *Cries from the East,* by Mr. James Wilson and John Alfred Parker, proprietors of the Indian *Daily News*, detailing instances of oppression in levying the income tax; many of which they have personally verified, and for the truth of which they hold themselves responsible. A miserable ryot (farmer) of Purneah, holding a bit of land, at 10 rupees rent (£1), and having only one plough, is assessed at an income of 500 rupees (£50), his whole worldly property not being worth £50! The principal investigator of the operations of the income tax is Mr. George Kerry, and the results of his investigations he published in the Indian *Daily News*. At this hour in the morning I cannot go into these cases, and shall limit myself to the detail of one instance, as a type of others—

> "At the village of Nursy dar Chok, about 16 miles south of Calcutta, there lives a man, whom I have known for many years, named Bholanath Dass. He lives in a miserable hut, which is not worth more than 50 rupees (£5); he has not even one beegah of land; so that he is one of the poorest of the poor. He works as a day labourer, when he is so fortunate as to get employment, and I do not believe his monthly earnings average four rupees (8*s.*) throughout the year. He cannot read, is very ignorant, and of feeble intellect, and is, for a Bengali, an old man; and this poor wretch has been assessed to the income tax by what I must regard as a wicked blunder. Of course, he had no money to pay, and was summoned before the collector at Alipoor, some 16 miles distant.

The letter then gives lengthened details, which I cannot quote at this hour; he was summoned to the collector's office, got frightened, and came away without seeing the collector. In the end he was taken in charge by a policeman for non-payment of his income tax—and the writer of the letter applies unsuccessfully to the collector, explaining the poor man's case. The letter is signed George Kerry. The case is said to have been a blunder. Now, Sir, that any such wicked blunder, as Mr. Kerry calls it, should occur is a disgrace to British administration in India.

I come now to the debt of India in 1856-7. The debt in India was £55,546,650, and in England £3,894,400—total £59,441,050; but in 1870-1 the debt has increased in India to £85,563,694, and in England to £40,106,083—total £125,669,777, an increase of £66,228,727 in 12 years, or 111·5 per cent; the interest of which the Indian taxpayer has to pay, and ultimately the principal! The distasteful subject of opium I will not enlarge upon; it will be sufficient to say that the profit derived from it has risen from £4,689,750 in 1856-7, under the Company, to £8,022,500 in 1870-1, under the Crown. The assessed taxes in the last three years, from 1868-9 to 1870-1, have risen from £508,700 to £1,989,600, or 291 per cent; but this, I presume, must include the recently imposed income tax. There are other items of taxation and receipt which would admit of comparison; but the above figures suffice to show the pressure of taxation under the Company and the Crown.

No doubt, owing to the increased demand for employment arising from public works, the formation of railways, and other demands, wages have risen, from 6*s.* or 7*s.* a month without food, to a considerably higher rate; but the proportionally increased cost of the necessaries of life neutralizes the advantage of increased wages, and the physical and social status of the people is not ameliorated. Sir, under the preceding detailed facts, it would be equally impolitic, unjust, and unsafe—I repeat, *unsafe*—with these facts before us, of increased pressure of taxation upon the 148,000,000 of taxpayers under the British Government, particularly with respect to the cruel salt tax and the hateful income tax, that the people of England should be permitted to live in a fool's paradise, believing that the Government of the Crown, in supersession of that of the East India Company, is one which has either ameliorated the condition of the people, or is promoting their contentment and loyalty.

After a few words from Mr. GRANT DUFF, in reply,

Question put, and *agreed to.*

INCOME TAX ASSESSMENT BILL.

On Motion of Mr. STANSFELD, Bill to make provision for the Assessment of Income Tax, *ordered* to be brought in by Mr. STANSFELD and Mr. CHANCELLOR of the EXCHEQUER.

Bill *presented,* and read the first time. [Bill 64.]

WESTMEATH, &C. UNLAWFUL COMBINATIONS.

Order [2nd March] for appointment of the Select Committee on Westmeath, &c. Unlawful Combinations read, and *discharged.*

Select Committee *appointed,* "to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, and the nature, extent, and effect of a certain unlawful combination and confederacy existing therein."—(*Mr. Gladstone.*)

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, 7th March, 1871.

MINUTES.]—*Sat First in Parliament*—The Lord Kenlis (The Marquess of Headfort), after the death of his father.

Public Bill—*Third Reading*—Pauper Inmates Discharge and Regulation * (16), and *passed.*

MILITIA APPOINTMENTS—ROYAL CORNWALL RANGERS MILITIA.

ADDRESS FOR CORRESPONDENCE.

Lord VIVIAN, in moving an Address for Correspondence respecting the nomination of an officer for command of the Royal Cornwall Rangers Militia, said, that the matter which he wished to bring under their Lordships' notice was one which affected generally the nomination of officers for commands in the Militia, though it had reference to himself in particular, and to many noble Lords who, like himself, had the honour of being Lieutenants of their respective counties. The Papers for which he was about to ask related to an act of the Secretary of State for War, which act, he ventured to think, was an unwarrantable stretch of authority, and contrary to the statute which regulated these appointments. The 42 *Geo.* III. c. 90, s. 2, enacted that the Lords Lieutenant of counties should appoint such persons as they thought fit, being duly qualified, to be colonels, lieutenant colonels, majors and other officers, and to certify to His Majesty the names and ranks of officers so appointed; and in case His Majesty should, within 14 days after such certificate shall have been laid before him, signify his disapprobation of any person so appointed, the Lord Lieutenant could not grant a commission to the person so disapproved, but commissions shall be granted to all persons not so disapproved by His Majesty. It was, moreover, laid down by Earl Russell in 1835, and by the standard writers on the subject, that Lords Lieutenant were solely responsible for the efficiency and discipline of the Reserve forces; that the Government had only a power of vetoing improper appointments; and that this veto must not be exercised on political grounds. The appointment of an officer to command in the corps in question rested solely with him (Lord Vivian) as being the Lord Lieutenant of Cornwall. The facts were these—Four or five months ago a gallant friend of his commanding the Royal Cornwall Rangers Militia expressed a wish to resign, on account of his not being conversant with the new drill, which necessarily involved a good deal of study and trouble. It accordingly became his (Lord Vivian's) duty to select a fit successor. Now, the senior major of the regiment, Major Trelawny, as far as discipline went, was, as far as he could learn, a very competent officer; but as far as his temper was concerned, he was led to believe that his appointment would be most unpopular, and would lead to the resignation of some of the other officers. He therefore felt it his duty to seek some other man. He applied to two lieutenant colonels, efficient officers, who had lately retired from active service and lived in or near the county, to accept the appointment to the regiment in question. Unfortunately, however, for reasons held to be sufficient, they respectively refused. This would show that he was not contemplating a job in favour of a friend of his own. He then wrote to his brother, who happened to hold a subordinate office in the War Department, begging him to ask Major General Sir James Lindsay, who commanded in chief the Reserve forces of the country, to select a fit man. His brother wrote to him that Sir James had said he would find him an efficient officer; adding the observation that he thought it desirable that the commanding officers of Militia regiments should be field officers in the Regulars. Acting upon this advice, he eventually fixed on a field officer of the Line, then on full pay, a lieutenant colonel in the Guards, and a man belonging to the county, Lieutenant Colonel Edgcumbe. This officer, on being communicated with, tendered the resignation of his command in the Guards; whereupon, he (Lord Vivian) forwarded his recommendation of this officer to the War Department to fill up the vacancy. This letter was received on the 2nd of February. He heard nothing more of the matter till the 14th of February, when the Secretary for War sent him a simple inquiry, why and wherefore he had passed over the majors of the regiment in favour of the officer in question. It appeared that Major Trelawny, to whom he should have given the preference could he have done so with credit to himself, had written to the Secretary for War on the 22nd of January, protesting against the notion that he was to be passed over. The Secretary for War was therefore aware at the time Colonel Edgcumbe was recommended of Major Trelawny's objection; yet he did not exercise his veto within the 14 days required by the Act. In reply to the inquiry, he (Lord Vivian) stated that he did not regard the major's service in the Line or Militia sufficient to qualify him for the command of the regiment; that he had no knowledge of the new drill; that he was informed his appointment would not tend to the well-doing of the regiment; and that he had reason to believe Major Trelawny considered Colonel Edgcumbe's appointment a good one. The other major of the regiment, Major St. Aubyn, he added, had not for eight years done a day's duty with the Militia. On the 2nd of March the Secretary for War wrote—that with every disposition to sustain the nomination, he was unable, in view of the Inspecting Officer's Reports and all the circumstances, to do so, and must, therefore, disapprove the appointment. Now, he (Lord Vivian) did not object to Major Trelawny *quoad* his abilities, but he did *quoad* his popularity; and he had no doubt that the ground of the War Office objections to Colonel Edgcumbe's appointment was to be found in the Reports of the Inspecting Officers. The Reports of Inspecting Officers were valueless as to the character and abilities of Militia officers. When an inspection was decided on the practice was for an intimation to be sent to the regiment that on a certain day an officer would come down to inspect them. The railway took the Inspecting Officer within a mile or two of the field. He then proceeded to the ground, saw the officers and the men, put them through a few manœuvres, and then left; and that was all the opportunity he had of forming an opinion of the merits of an officer. The Lord Lieutenant of a county had far better opportunity of ascertaining the capabilities of an officer for command, and he conscientiously believed that if he had appointed Major Trelawny to the command of the regiment the worst consequences to the discipline of the regiment from his unpopularity, both as regarded officers and men, would have ensued. The late commanding officer, to whose authority the War Department also appealed in support of its decision, had written, in reply to his inquiry, that Major Trelawny, while an efficient officer, was unpopular, he believed, through want of tact in paying full consideration to those under his command. He had no reason to suppose that the major objected to his selection, having had a letter from him begging that no personal considerations or mere sentiment should intervene, until he got a hint of it from Sir James Lindsay, a day or two before the major sent in a second protest, in terms very different from the first. His (Lord Vivian's) only object had been to appoint a fit man; but he was now placed in a very unpleasant position, and his action in the county was paralyzed, being pointed at either as the perpetrator of a gross job, or as so incompetent as to be unworthy of the post he had filled for 16 years, without, he trusted, any discredit. He was disposed at once to throw up his office, were it not that he should not like the Secretary for War to have a voice in the selection of his successor. The Secretary for War thought him incompetent to make a good selection, and he thought the Secretary for War equally incompetent to make a good selection. He would not venture to say a word about politics; but he would venture to say that if they should hereafter decide on selection in the Regular Army, the strings would be pulled by every Member of the House of Commons, and that the Commander-in-Chief, whoever he might be, would be worked upon by them. This would be the necessary consequence, and future Lords Lieutenant would be treated just as he had been. Regretting the wrong done to himself, he felt far more keenly the wrong done to Colonel Edgcumbe by the delay of the War Department in making inquiries, and in exercising the veto, which, he contended, was consequently invalid. Colonel Edgcumbe had resigned his commission in the Guards entirely with a view to the Militia appointment, and under the impression that it would be confirmed, and he was now deprived of a profession—surely a most unfair position for him, and a most unfair proceeding on the part of the Secretary of State for War. Had due diligence been used by the Department, instead of hanging up the matter for days, the injury would not have been so great. He appealed to their Lordships whether a gross injustice had not been committed, and he should like the noble and learned Lord on the Woolsack to say whether the Act of Parliament had been observed. He had always endeavoured to do his duty conscientiously, and the Secretary for War had no power to make appointments without his sanction.

Moved, "That an humble Address be presented to Her Majesty for all correspondence relating to the nomination of an officer for command of the Royal Cornwall Rangers Militia."—(*The Lord Vivian.*)

THE EARL OF MOUNT-EDGCUMBE supported the Motion, but, as a near relative of one of the officers in question, would refrain from entering into the merits of the case. His chief object in rising was to speak to the fact alluded to by the noble Lord (Lord Vivian). To his knowledge Colonel Edgcumbe would on no account have resigned his commission in the Grenadier Guards, except as a necessary preliminary to the appointment offered him, without any solicitation, by the noble Lord, and to gratify his laudable ambition of commanding the regiment of his native county. He had not the smallest reason to suppose that his appointment would not be sanctioned. There was clearly, therefore, a case of hardship. Their Lordships would, no doubt, appreciate the noble Lord's anxiety to vindicate the privileges of his office, and to exonerate himself from all responsibility for a result which he deeply regretted.

LORD ABINGER rose to bear testimony to Colonel Edgcumbe as a very efficient officer, and that his appointment would have given satisfaction to the county.

LORD NORTHBROOK said, he desired it to be clearly understood that the Secretary of State had in no way, directly or indirectly, questioned the noble Lord's motives in making the recommendation. He must, however, complain that he should be called upon to discuss the merits of the case and enter into an explanation before the Papers, to the production of which there was no objection, were in their Lordships' hands. The question was, whether the action of the Secretary of State for War was justified by the statute and by the regulations of the Militia service, and whether he had exercised a wise discretion in the particular case? On the first point he apprehended no doubt could arise, as the 42 *Geo.* III. gave the Crown, acting through the Secretary of State, power to veto appointments. As to the latter, a Royal Commission which sat in 1859, including several Lords Lieutenant and commanding officers of Militia, recommended that promotion should, as a general rule, be by seniority, and that in those instances where any departure from it might from time to time seem advisable, the reasons for it should be sent with the nomination to the Secretary of State. Lord Herbert, then Secretary for War, issued a circular calling attention to these recommendations of the Commissioners, and accordingly requesting Lords Lieutenant to transmit reasons for deviating from the principle of seniority. This circular reached the noble Lord (Lord Vivian), and it had ever since been a standing rule. In the case, however, of the appointment to which their Lordships' attention had been directed, the noble Lord did not comply with the regulations, but forwarded a simple recommendation — which, moreover, was not in the statutory form.

LORD CAIRNS asked what statute imposed any form? The 42 *Geo*. III. did not.

LORD NORTHBROOK hoped the noble and learned Lord would allow him to finish his observations without interruption. He did not mean to say that any form was prescribed in the statute. But the noble Lord, in his first letter, did not use the form and words of the statute which Lords Lieutenant had been wont to use when they desired to take advantage of the precise limit of time fixed by the Act. He held in his hand such a document, sent by another Lord Lieutenant. In many cases inquiries were necessary, and great inconvenience would ensue to the public service if the 14 days' limit were formally adhered to. Moreover, the recommendation was not received till the 2nd of February, and it was answered within 14 days—namely, on the 14th, when the Secretary for War asked for the reason for passing over the senior major. The noble Lord (Lord Vivian), therefore, could not have gazetted the appointment after receiving a request based on a circular issued under the Act of 1852, and he could not suppose that he intended to insist on the technical objection as to the interval between the recommendation and the disapproval. As to Major Trelawny's first letter to the Secretary for War, it was returned to him as irregular, as an officer was bound to write to his commanding officer or the Lord Lieutenant, and not to address the War Department directly. Neither the Secretary for War nor himself ever saw this letter till after the whole matter had been decided. The delay between the 2nd and the 14th was owing to an accident in the papers passing from one hand to another. The noble Lord's explanation, however, was not completed till the 27th—the date of his last letter—which contained one of the most essential documents—namely, the opinion of the outgoing colonel. The Secretary for War replied on the 2nd March. So that from the 27th of February to the 2nd of March was not a long delay in considering the merits and communicating the decision. He much regretted Colonel Edgcumbe's position, which appeared a great hardship; but he himself personally advised his brother that he should not give up his commission. Sir James Lindsay had been referred to by the noble Lord. He would therefore read the account which Sir James Lindsay had given him of the affair—

> "In February, Captain Vivian asked me whether I knew any officer fit to take command of the Cornwall Militia, as Lord Vivian wished to know, because the lieutenant colonel of the regiment was about to retire. I replied I did not know of anyone, but would let him know if I heard of any Army officer who wished to command a regiment of Militia. Some time afterwards Lieutenant Colonel Edgcumbe called on me and informed me that Lord Vivian had promised him the lieutenant colonelcy, but previous to his retiring from the Guards he wished to know if he was pretty sure to get it. I told him that I could not tell him that, but I concluded Lord Vivian had good reason for passing over the senior major, and that I knew the junior major had not attended training for a long time; that we were glad to get young active officers fresh from military service. But the claims of officers must be investigated, and that I must inform the Secretary of State, with whom the responsibility rested, upon all points bearing on this question. I recommended Lieutenant Colonel Edgcumbe not to be in a hurry, if the lieutenant colonelcy of the Militia was his sole reason for retiring. On investigation, I found that Major Trelawny had been in the Army several years; had been constant in his service in the Militia, and had been well reported on in the official Inspection Reports. On a subsequent interview with Lieutenant Colonel Edgcumbe, I told him that he must not rely on getting it, and that there were strong reasons in favour of Major Trelawny."

The noble Lord had quoted a private letter from Colonel Coryton, the retiring officer, received by him subsequent to the decision; but that letter had not been communicated to the Secretary of State. In a previous letter Colonel Coryton had replied to the inquiries of the noble Lord by saying that Major Trelawny was unpopular, and in point of discipline was indiscreet, but that responsibility made a great difference. Colonel Coryton gave the major, in other respects, a high character. The noble Lord (Lord Vivian) had represented the major as offering no objection to the appointment; but it was only fair that the explanation which the latter had given should be submitted to their Lordships. Major Trelawny complained, in effect, that by the selection of Colonel Edgcumbe he had been practically turned out of the service as incompetent. [The noble Lord then read extracts from the Correspondence which was afterwards ordered to be laid on the Table.] He regretted to have troubled their Lordships with the Correspondence; but, at the same time, he thought it necessary to put them in possession of Major Trelawny's explanation, and it certainly appeared to him, from the Correspondence, that his noble Friend was not justified in stating to the Secretary of State that Major Trelawny had approved the nomination of Colonel Edgcumbe. After all, however, the question was this — Was the Secretary of State required by statute to exercise his judgment in those matters, and to communicate, if necessary, the disapproval of Her Majesty of an appointment recommended by a Lord Lieutenant? It appeared to him that the position was clear that such a responsibility was placed by the statute on the Secretary of State; and he might inform their Lordships that that power had been constantly exercised by Secretaries of State in many previous and similar cases. That being so, the next question that arose was whether the exercise of that power in this particular case was a wise or an unwise one? He could only say that his right hon. Friend the Secretary of State had dealt with that case — indeed, the position and character of his right hon. Friend were enough to ensure that—without any political bias whatever, and simply with the view of doing his duty, and he had to consider whether the opinion of his noble Friend, partially supported by Colonel Coryton, should be decisive, or whether the opinion of the responsible advisers of the Secretary of State—namely, the Inspector General of the Reserve forces and the officers who had, from time to time, inspected the regiment should also be taken. His noble Friend (Lord Vivian) had used language which had rather surprised him—because the officers that had inspected the regiment included Sir A. Spencer and Colonel Julius Glyn, who were not men likely to send in incorrect reports respecting the character and qualifications of Major Trelawny. In those confidential Reports not only was the fitness of Major Trelawny for the command of the regiment distinctly given in the affirmative in answer to the questions put to the Inspecting Officers, but the Reports also contained stronger statements in favour of his qualifications than were usual. What, then, was the position of Major Trelawny in respect to previous service? Was it such as was likely to disqualify him for a command in the Militia? He was educated at and obtained his first commission from Sandhurst—which, of itself, showed that he had qualified himself by study for his profession—and, more than that, he had received a special certificate of proficiency. He served in the 36th Regiment from 1845 to 1848, and in the Inniskilling Dragoons from 1848 to 1853. Having also served for 10 years as adjutant and major of Militia, and been reported upon as fit to command the regiment by the Inspecting Officers, he said that if the Secretary of State had passed over such an officer, he did not think that any major of Militia could feel the least certainty that his claims, however high they might be, would not be set aside if he did not happen to have had recent experience in the Regular Army. It appeared to the Secretary of State to be essential that Militia officers should feel that the recommendations of the Royal Commission would be carried out, and that officers who had devoted great time and study to their profession would not be passed over, even upon the recommendation of Lords Lieutenant, without good cause. The Secretary of State therefore felt that if the responsibility resting upon him were to be accounted of any value—however much it might be against his feelings — he could not but recommend Her Majesty to disapprove the recommendation made. In conclusion, he (Lord Northbrook) would add that he could not regard this incident as one which could be used as an argument against the principle of promotion by selection; on the contrary, it showed that, notwithstanding the recommendation of the Lord Lieutenant, the Secretary of State thought it would not be consistent with his duty to the public service to shelter himself under the responsibility of that recommendation, and had taken upon himself the responsibility of recommending Her Majesty not to approve of an appointment which he was of opinion would not be for the benefit of the service.

The Earl of MOUNT-EDGCUMBE believed he would not be guilty of any betrayal of confidence if he stated that this matter had arisen out of a question he had put to the noble Lord in connection with the proposed scheme for re-organizing the forces. He had asked the noble Lord whether it would be better for his relative to remain in the Army or accept a position in the Militia? The noble Lord had replied that it would be better if he stayed where he was, and explained himself by saying that possibly commands in the Militia would be given to officers on half-pay.

Lord CAIRNS said, that his object in interrupting his noble Friend (Lord Northbrook) was to ascertain whether there was any Act of Parliament prescribing the form of recommendation suggested by his noble Friend, in order that he might inform himself on the point before their Lordships. He did not know any of the parties to the matter under discussion, and did not take any interest in the subject as a question of military appointment; but he had been attracted to the question in consequence of what seemed to him to be the summary mode in which the Secretary of State for War had made use of the Act of Parliament in disallowing the recommendation of the Lord Lieutenant. He could not help thinking that the War Office had made a most complete and palpable blunder, and his advice to the Secretary of State was that he had taken up an untenable position, and should retreat from it at once. He could only account for it by thinking that the Secretary of State for War had arrived at the conclusion that the legislation which was contemplated was already arrived at, and that the authority over the Militia regiments of the country had been already handed over by the Lords Lieutenant to the War Office. He thought the noble Lord had brought himself into conflict with one of the plainest Acts of Parliament. What was the law relating to the Lord Lieutenant's power to make such appointments? The Act of Parliament was the 42 *Geo.* III., c. 90, and by it the Lords Lieutenant were authorized to constitute and appoint such officers as they thought fit, having certain qualifications, to be their deputy lieutenants, and to appoint a proper number of colonels, lieutenant colonels, majors, and other officers, qualified as mentioned in the Act, for the purpose of training and commanding the persons referred to in the Act; and it also required the Lords Lieutenant "to certify to His Majesty the names and ranks of such officers so to be appointed." In case His Majesty should, within 14 days, disapprove the names so certified, it was not lawful for the Lords Lieutenant to appoint them; but after that time it was lawful to grant commissions to such persons only "as were not so disapproved of by His Majesty." The noble Lord (Lord Northbrook) had spoken much of the responsibility of the Secretary of State for War; but that was an entire misapprehension, for the responsibility of these appointments lay with the Lords Lieutenant of the counties. The disapprobation referred to in the Act was a disapprobation not of the course adopted by the Lords Lieutenant, but of the person to be selected. It was a disapprobation not of the manner of appointment, but of the person proposed to be appointed. What would be thought of a Secretary of State recommending Her Majesty to disapprove the appointment of a deputy lieutenant not because there was any objection to the nominee, but because the Secretary of State thought somebody else more fitted for the post? Again, the War Office was completely wrong in point of time as regards their right of signifying their disapprobation. The defence of the War Office on the point of the certificate was a very unfortunate one. He wanted to know why, if the War Office did not regard the letter which had been sent by the Lord Lieutenant as an appointment, they did not return it, saying—"This is not such a document as we can receive from you. It is for you to certify the ground for the appointment, and then we will tell you whether we approve of the certification or not?" But the War Office retained the document; and, more than that, the Lord Lieutenant wrote an official letter, recommending for Her Majesty's approval the appointment of the Hon. Charles Edgcumbe for one office, and also in the same letter recommending for Her Majesty's approval the appointment of Lieutenant Arthur Hutchinson for another. Now, the Secretary of State, in his reply, adopted the certificate of the appointment of Lieutenant Hutchinson, and acted upon it by getting Her Majesty's approval; but in the case of Lieutenant Colonel Edgcumbe, he asked the Lord Lieutenant's reason for passing over two other gentlemen. As regards the time within which an objection might be signified by the Crown, there was not intimation of disapproval in the letter of the 14th February; and the War Office had, he held, no right to signify their disapproval at a date long after the expiry of the time permitted by the Act, and he thought they ought to withdraw from their position.

THE LORD CHANCELLOR said, it seemed to him unfortunate that a question of law should be argued before their Lordships not when sitting in the usual manner as a Court of Appeal, but as a matter of discussion and debate. And he felt it was the more unfortunate because his noble and learned Friend (Lord Cairns) had taken upon himself to say that Her Majesty's Government had misconceived the law and were utterly wrong. Now, he (the Lord Chancellor) took upon himself to maintain, in opposition to his noble and learned Friend, that the Secretary for War had kept strictly within the limits of the law in what he had done in the present instance—and not only that he had kept within the law, but had acted in the spirit of it. His noble and learned Friend (Lord Cairns) had begun his remarks by stating that the Government had mistaken their position in giving any opinion with reference to the course taken by the Lord Lieutenant in making the appointment, and that all they had to do was to express their approval or disapproval of the person on whom it was conferred. In the very first section, however, of the Act 15 & 16 *Vict.*, it was provided that it should be lawful for Her Majesty's Principal Secretary of State to frame regulations with reference to such appointments as that in question, subject to which "any such appointment shall be made." And he had been informed that regulations had been made in accordance with that section, in which it was recommended to the Lords Lieutenant to state, when they passed over any officers in the regiment, the reasons why these officers were passed over; and he apprehended that this was extremely reasonable. But then his noble and learned Friend maintained that the objection to the appointment should have been notified within 14 days. Fourteen days after what? Fourteen days after the appointment was made and certified. But in the case under discussion no appointment was made, according to the letter of the 1st of February.

Lord CAIRNS: There are no such words in the Act of Parliament as "after the appointment was made." The Act provides that the 14 days shall run from the time when the certificate is laid before the Secretary of State. The commission was not to be granted before 14 days; but if no objection was signified within that time, the Lord Lieutenant would issue the commission.

The LORD CHANCELLOR: If his noble and learned Friend would turn to the 2nd section of 42 *Geo.* III. c. 90, he would find it there provided that the Lord Lieutenant should appoint a proper number of colonels, lieutenant colonels, majors, and other officers, and that "he shall certify to Her Majesty the names and ranks of all such officers so to be appointed." The Lord Lieutenant, therefore, was called upon to do two things. He had to appoint, and to inform the Secretary of State that he had appointed—not that he intended to appoint. Let what force his noble and learned Friend chose be given to the word "certify," it was inconsistent with every legal construction of it to say that, in writing to the Secretary of State to request Her Majesty's approval of a recommended appointment, it was certified that the appointment was actually made. He believed that the letter of the Lord Lieutenant was quite in accordance with the course usually adopted; and that that course had been adopted for the sake of allowing friendly communications between the Secretary of State and the Lord Lieutenant on the subject of every appointment before the appointment was made. Afterwards, when the names had been given and approved of, then, and not till then, the formal communication of the appointment was made. He regretted that, as legal proceedings might be taken in connection with the subject, any question of law should have been raised in the present discussion; But he could not concur in the opinion that a friendly communication, asking for the approval of an appointment, amounted to a certificate that it had been absolutely made and concluded. The course which had been taken by the Secretary for War in the matter was, he believed, one which was perfectly reasonable, as well as in accordance with the usual practice of the Office. On the merits of the question beyond the mere point of law involved he wished to say nothing, as it lay outside his Department. He would simply add that his noble and learned Friend (Lord Cairns) was quite wrong in supposing there had been no formal expression of disapproval in the case, for such disapproval was conveyed in the reply dated the 14th of February, which came within the prescribed 14 day limit.

The Duke of RICHMOND thought the question on which the noble and learned Lord had just touched was one which did not require the judgment of a lawyer, or the possession of any special legal training, to enable their Lordships to form an opinion upon it. If the letter written by the Lord Lieutenant to the Secretary of State was not an appointment and was not a certificate, he would ask the noble and learned Lord where was the certificate contemplated by the Act of Parliament? was there any such certificate in existence? What construction did he put upon the recommendation contained in the last clause of the letter, recommending for Her Majesty's approval the appointment of Lieutenant Hutchinson? That recommendation was made in the same letter, and conveyed in the same way, and the War Office had acted upon the intimation. He must also differ from the construction put by the noble and learned Lord upon the Act of 1852. There was not one word in that Act altering the express enactment of the statute of George III., that unless disapproval were signified by the Secretary of State within 14 days the appointment made by the Lord Lieutenant was valid. For these reasons he believed that the appointment made by the Lord Lieutenant of Cornwall was a valid appointment; and that Her Majesty's Government, notwithstanding all that had been said by the noble and learned Lord upon the Woolsack, had taken up a position which they would find it impossible to maintain.

THE DUKE OF ARGYLL said, he knew nothing of the matter beyond what he had heard in the House that evening, nor would he enter into any of the technical details referred to by the noble and learned Lord opposite (Lord Cairns). He must do the noble Lord on the cross Bench (Lord Vivian), who had brought forward the subject, the justice of saying that he touched but lightly upon the more technical question, and at once went faithfully into the merits of the case. The argument of the noble Lord, that the Secretary of State for War had exercised a wrong discretion in overruling his recommendation was a perfectly fair one; and he had the greatest possible respect for the judicial opinions given by the noble and learned Lord opposite, when clothed in ermine and sitting on the judicial Bench; but the off-hand opinions he frequently gave in the House upon matters of personal and political interest required the very closest watching. In listening to the argument of the noble and learned Lord, he himself perceived more than one place in it through which a coach-and-six might have been driven, and he believed the whole argument had been completely upset by that of the noble and learned Lord on the Woolsack. However, he had not risen to argue the legal point, but to point out that if the War Office was, as the noble and learned Lord had said, totally in the wrong on the present occasion, he ought consistently to have contended that it had been wrong for many years, if not, indeed, for some generations; for it was the universal custom of all Lords Lieutenant—and himself was one—to submit for the approval of the Crown the names of those persons whom they intended to appoint. The noble and learned Lord argued that the power of the Crown was a mere power of veto, and did not include the power to overrule the discretion and responsibility of the Lords Lieutenant. He would ask the noble and learned Lord, how could the business of this country be transacted, and the duties of the Lords Lieutenant be discharged, if they were simply to nominate the persons they chose, with the bare chance of the Crown exercising a veto upon the appointments? The custom hitherto followed by Lords Lieutenant was that they should previously ask the approval of the Crown to the names of the persons whom they intended to appoint.

LORD CAIRNS: Approval of the appointment.

THE DUKE OF ARGYLL: If the noble and learned Lord meant that it was an approval by the Crown of an abstract appointment, his proposition was altogether preposterous. It was an approval by the Crown of a particular person appointed to a particular place; and it had always been the practice to ask the previous approval of the Crown—for it would be extremely inconvenient for Lords Lieutenant to name any persons with the veto of the Crown hanging over them. If there was any doubt as to the mere technical legality of the position the Secretary of State for War had taken upon this question, let the noble Lord withdraw his letter of recommendation, let both parties withdraw their names, so that they might stand exactly in their former position and the power of the Secretary of State to issue his veto be tested. For his part, he believed the noble and learned Lord opposite was entirely wrong, and the War Office perfectly right upon this question.

THE DUKE OF BUCCLEUCH said, that having been appealed to as the Lord Lieutenant of two counties, he desired to explain that the course which he had been in the habit of pursuing was to send in to the Crown the name of the person whom he wished to appoint. In forwarding this communication, however, he always considered that he was, in fact, formally making known the selection which he intended to act upon; and if no answer disapproving the appointment was returned by the Secretary of State, he instantly signed the commission when the proper time arrived, and sent it to the *Gazette*.

Motion *agreed to*.

House adjourned at a quarter past Seven o'clock, to Thursday next, half past Ten o'clock

HOUSE OF COMMONS,

Tuesday, 7th March, 1871.

MINUTES.]—Select Committee—Letters Patent, *appointed.*

Public Bills—*Resolution in Committee—Ordered—First Reading*—Burials Acts Amendment* [66].

Ordered — First Reading — Patents for Inventions* [65]; Elementary Education Act (1870) Amendment* [67]; Poor Law (Loans)* [68]; Customs and Inland Revenue Duties Act (1869) Amendment* [69].

Third Reading — County Property* [29], and *passed.*

THE CENSUS—EDUCATION.—QUESTION.

Mr. MELLY asked the Secretary of State for the Home Department, Whether he has any objection to authorize the District Registrars in Boroughs, when taking the Census, to supply the School Boards of such boroughs with the gross totals of children between certain specified ages, to be fixed by the Education Department; such totals to be extracted from the Census Papers (before they are forwarded to London) at the expense, in each case, of the School Board of the Borough?

Mr. BRUCE: Sir, I have received a great many communications on this subject, and I am bound to say that of the different suggestions that of my hon. Friend is the most practicable. I have been in communication with the Registrar General on the subject, who has raised difficulties, as it was his duty to do, to any proposal which might have the effect of interfering with the efficient discharge of the important and complicated duty of collecting the Census Returns. But I am authorized to say that even if arrangements cannot be made—on which point I now give no certain opinion—to give effect to my hon. Friend's wishes, this can be promised—namely, that the required information shall be furnished to such boards as desire it in the month of June or July, and I am told that that time will be early enough.

INCOME TAX—SERVANTS OF PRIVATE FIRMS.—QUESTION.

Mr. CRAWFORD asked Mr. Chancellor of the Exchequer, with reference to a Question put to him by the Member for Preston on the 14th February, respecting applications by assessors of Income Tax for statements of the salaries paid to clerks in the establishments of private firms, Whether he has received any letter from the Clerk of the Commissioners of Income Tax for the City of London on the subject, and if he will lay a Copy of such Letter upon the Table of the House?

The CHANCELLOR of the EXCHEQUER, in reply, said, a copy of a letter received from the clerk of the Commissioners, together with a memorandum issued by the Board of Inland Revenue, should be laid on the Table of the House.

IRELAND—SHERIFFS OF WESTMEATH AND LOUTH.—QUESTION.

Mr. MONK asked the Chief Secretary for Ireland, in reference to the recent nominations of Sheriffs for Westmeath and Louth, Whether he is prepared to state what is the opinion of the Law Officers of the Crown for Ireland as to any qualification being requisite for the office of High Sheriff of an Irish County?

The Marquess of HARTINGTON said, in reply, he had not yet received the opinion of the Law Officers of the Crown upon the general question raised by his hon. Friend, which was one of very considerable complexity and great importance. With regard to the particular cases referred to, Her Majesty's Government had no doubt that the present sheriffs of Westmeath and Louth were legally qualified to serve. He did not think it would be well to produce any of the Correspondence on the subject until the matter had been completely investigated, and the Government placed in possession of the completed opinion of the Law Officers in regard to it.

COURT OF HUSTINGS (LONDON) ABOLITION BILL.—QUESTION.

Mr. W. H. SMITH asked Mr. Attorney General, If the sanction of the Law Officers of the Crown has been given to a private Bill, intituled "The Court of Hustings (London) Abolition Bill," under which it is proposed to give to the Lord Mayor's Court concurrent jurisdiction with the Superior Courts of Common Law in matters arising within the Metropolitan district; and if the assent of the Crown has not been given, what course the Government propose to take with regard to the measure which now stands for Committee as an unopposed Bill?

THE ATTORNEY GENERAL: Sir, in reply to the Question of the hon. Gentleman, I have to state that the sanction of the Law Officers of the Crown most certainly has never been given to this Bill. In fact, I never heard of it till my attention was called to the matter by this Question. On referring to the Bill, I certainly experienced a good deal of surprise at some of its provisions. I find that though it is a Private Bill sent to a Committee upstairs, it proposes to constitute a new Superior Court of Law with unlimited jurisdiction. [*Laughter.*] I say unlimited, because by one of the clauses it is provided that the jurisdiction of the new Court shall not be confined to the City of London, but shall extend considerably beyond it; the clause authorizing the committal of persons beyond the jurisdiction of the Court. I find that an appeal is given to the Court of Exchequer, thereby adding to the jurisdiction of one of the highest Courts in the kingdom. I have to state that, in my opinion, these provisions are altogether beyond the scope of a private Bill, and ought not to have been introduced. As to the course the Government propose to take, I may say that unless these clauses are struck out I shall certainly oppose the Bill on the third reading.

MR. W. H. SMITH: I beg to give Notice that, on going into Committee of Supply, I shall call attention to the subject.

ALLEGED TREATY BETWEEN RUSSIA AND PRUSSIA.—QUESTION.

MR. DISRAELI: I beg to inquire of the Prime Minister, Whether Her Majesty's Government are aware that a Treaty was negotiated last year, between the Courts of Russia and Prussia, referring to the war between Prussia and France; and, if so, whether they were in possession of this information when they instructed Mr. Odo Russell to repair to Versailles and consult Count Bismarck?

MR. GLADSTONE: In answer, Sir, to the Question of the right hon. Gentleman, I have to state, very briefly, that Her Majesty's Government has not been informed of the existence of any such Treaty; and, that being so, I need not say that we were not in possession of such information when Mr. Odo Russell went to Versailles.

THE TREATY OF PARIS (1856.)

QUESTION.

MR. BAILLIE COCHRANE asked the Under Secretary of State for Foreign Affairs, What are the contingencies alluded to in Despatch No. 47 in the Correspondence of the Treaty of March 1856, where Baron Brunow says—

> "On certain occasions when certain contingencies were discussed, he had stated both to Lord Malmesbury and Lord Clarendon that if they were realized Russia would reserve to herself the right to call in question some of the provisions of the Treaty of 1856;"

and, if there are documents in the office bearing on these contingencies; and, if so, whether they will be laid upon the Table before Friday?

VISCOUNT ENFIELD, in reply, said: I have to state that I am not aware, nor is the Foreign Office aware, of any of the "contingencies" to which the hon. Member refers; nor were there any Reports or documents on the subject in the Foreign Office.

EDUCATION—NEW REVISED CODE.

QUESTION.

MR. DODDS asked the Vice President of the Council, Whether Scholars who at the last examination were presented in Standard 1 of the 1st Revised Code, are on the next examination to be presented in Standard 1 of the New Revised Code (being the same as Standard 2 under the 1st Code), or in Standard 2?

MR. W. E. FORSTER said, in reply, that there was nothing in the new Code to prevent children who were presented under Standard 1 in the Code of last year being presented under the same standard in the new Code. The old Standard 1 had been struck out, and a new Standard 6 had been inserted, so that the new standards from 1 to 5 corresponded with the standards numbered 2 to 6 in last year's Code. Therefore, the rule which prohibited the presentation of a child for examination under the same standard in two consecutive years would be complied with, though children were presented this year under what was nominally the same standard as that under which they were examined last year.

ARMY—YEOMANRY REGIMENTS AND RIFLE RANGES.—QUESTION.

Mr. ALGERNON EGERTON asked the Secretary of State for War, Whether any allowance will be made to Commanding Officers of Yeomanry Regiments to cover the expense of hiring rifle ranges, rendered necessary by the new regulations?

Mr. CARDWELL said, that no allowance would be made, but where it was necessary ranges would be hired by the Control department.

MR. ODO RUSSELL'S DESPATCH.

QUESTION.

Sir HEDWORTH WILLIAMSON asked the First Lord of the Treasury, Whether Her Majesty's Government has received from Mr. Odo Russell any statement in reference to that passage in his Despatch of November 22, which has been made the subject of inquiry and comment in this House?

Mr. GLADSTONE: Sir, Mr. Odo Russell's attention having been called to certain proceedings in this House he has addressed an explanatory despatch to Her Majesty's Government on this subject, which despatch I will lay on the Table of the House; I have only to say, on the part of the Government, that the despatch is, in their view, entirely satisfactory.

ELEMENTARY EDUCATION ACT.

QUESTION.

Mr. A. JOHNSTON asked the Vice President of the Council, Whether section 23 of the Elementary Education Act enables a school in union with the National Society to be transferred to a School Board?

Mr. W. E. FORSTER, in reply, said, that to the best of his belief, and according to the Legal Advisers of the Government, the section referred to by the hon. Member did confer the power of transfer to a school board of a school in union with the National Society, provided that the conditions required by the section were fulfilled, one of which conditions was that any person interested, including a body corporate, had the right to be heard by the Education Department against the transfer. He presumed that the National Society came within the scope of that provision.

FRANCE—REPORTS OF THE MILITARY ATTACHE AT PARIS.—QUESTION.

Sir ROBERT PEEL asked the Secretary of State for War, Whether he has any objection to lay upon the Table of the House, for presentation to Parliament, Copies of the Reports furnished to the War Department by the Military Attaché of Her Majesty's Embassy at Paris, during the last five years, following the precedent established by the presentation to Parliament of the yearly Reports of Her Majesty's Secretaries of Embassy and Legation for the Countries in which they reside?

Viscount ENFIELD: Sir, at the request of my right hon. Friend I will answer this Question. It will not be in my power to lay on the Table the Reports referred to by the right hon. Baronet. They are of a strictly confidential character, and could not be produced without great public inconvenience, and seriously compromising the persons from whom the information was obtained. The right hon. Gentleman will allow me to remind him that they differ materially from the Reports sent in by the Secretaries of Legation in foreign countries, which refer simply to questions of import, export, trade, produce, and commerce.

ARMY—SMALL POX IN THE GUARDS.

QUESTION.

Colonel WILSON-PATTEN asked the Secretary of State for War, Whether it is true that a battalion of Guards has been stopped on its way to Dublin on account of the small pox having broken out; and, whether a portion of it has been ordered to Fleetwood?

Mr. CARDWELL: The battalion of Guards going off to Dublin has been stopped for the present in London, in consequence of the small pox having broken out among the men; but it is not yet decided whether they shall be sent to any other place or not.

NEW FIRST LORD OF THE ADMIRALTY.

QUESTION.

SIR JAMES ELPHINSTONE: I beg to ask the First Lord of the Treasury, Whether a statement which appears in a leading article in "The Times" this morning—namely, that the right hon. Gentleman the President of the Poor Law Board has accepted the office of First Lord of the Admiralty, is true? The statement is so incredible—["Oh!"]

MR. GLADSTONE: Sir, I shall distinguish in the Question of the hon. Gentleman that which is matter of opinion from that which is matter of fact. Whether the report is credible is matter of opinion, whether it is true is matter of fact. It is true, and I am glad of it.

TREATY OF PARIS (1856)—NEUTRALIZATION OF THE BLACK SEA —THE CONFERENCE.—NOTICE.

MR. GLADSTONE: I have to give Notice with reference to a Motion that now stands on the Paper of this House for next Friday. My hon. Friend the Member for Chelsea (Sir Charles Dilke), whose name stands to that Notice, is not in his place, and probably it will be convenient that I should give Notice that on Thursday I shall ask him whether it is his intention to go on with that Motion on Friday. I am obliged to state, on the part of the Government, that it is not now possible that the Conference should meet again before Friday, and it will be beyond the power of the Government adequately to discuss that subject while the Conference is sitting. I ought to add that I have no reason to suppose that the proceedings of the Conference are likely to be delayed for any considerable time before coming to a conclusion.

DURHAM CHURCH LEASEHOLDS.

RESOLUTION.

MR. STEVENSON rose to call attention to the present position of holders of Leases under the Dean and Chapter of Durham, and to move a Resolution. In order that the House might clearly understand the case of the leaseholders under the Dean and Chapter of Durham, it was necessary to trouble it with a short statement of the past history of the system. At the Reformation the extensive estates of the Priory of Durham were conferred upon the Dean and Chapter, which was then constituted by Henry VIII. Part of the lands were then let at rack-rent, but nearly all the rest were of a tenure similar to copyhold, being renewable every 21 years on the payment of three years' rent. Disputes arose between the Chapter and their tenants, the Chapter seeking to convert all the leases into ordinary tenancies; and in 1626 the Dean and Chapter passed an Act, in which they plainly laid down the principles of the management of their leasehold estates. The leases were to be for 21 years; but at the end of seven years they were to be renewed, on payment of one year's improved annual value. On the back of each lease there was an endorsement in a peculiar form—under the year of the date of the lease the figure 7 was written and a line for addition drawn, and the date reckoned on which the seven years would expire. That arrangement had been carried out with such perfect good faith that the utmost confidence existed between the Dean and Chapter and their lessees, and for the last 250 years no tenant had ever been deterred from expending his capital on his holding from any distrust of renewal. No doubt it might be said that the tenant paid the fine on renewal on the basis of his own improvements. But the Dean and Chapter met this by allowing two renewals to elapse before calculating the improved value. On the other hand, the renewal fine had been raised from one year's improved value to one and a half. That, however, was no substantial increase, for the annual reserved rents had not been increased; so that the respective interests of the Dean and Chapter and the lessee had not been substantially altered. He would illustrate the working of this system by the case of South Shields. Two hundred and fifty years ago it was a mere fishing hamlet; afterwards, owing to the cheapness of fuel, extensive salt works came into existence, and to these had succeeded quays, graving docks, shipbuilding yards, forges, and all the manufactures connected with an important seaport town—extensive glass works, bottle works, and chemical manufactories; so that in 1849 there was property of an annual value of £40,000 a-year, wholly created by the capital and enterprise of the lessees, on ground of which the lessee had nominally only a tenure of between 14 and 21 years. But while the revenues of the Church were thus largely increased by the outlay of the lessees' capital, the Dean and Chapter never pretended to expend a single shilling of their own or do any single duty that fell on a landlord, except the collecting of their revenues. Now, he could not conceive a stronger case of tenant-right, or any defence whatever for now turning round on these lessees and telling them when the first seven years of the leases had expired that no more renewals were to be granted. Yet that was what had now been done by the Dean and Chapter of Durham, and that was the present position of 600 leaseholders in the town of South Shields. The Church lessees were spoken of as a body of men fattening on the property of the Church, which was thus defrauded of a large share of her rightful revenues, and it seemed for a time as if no regard was to be paid to the claims of the lessees, who had themselves created the property of which they were accused of despoiling the Church; and much alarm prevailed among the lessees in consequence. A Committee of that House inquired into the matter and took evidence on the subject, and recommended that consideration should be given to the customary confidence of renewal. No legislative action followed, and the confidence of the lessees was restored, and they went on without fear to expend their capital on their leaseholds. In 1849 a Royal Commission was appointed. They were directed to pay due regard to the rights of the lessees, while inquiring how the property might be improved for the benefit of the Church and the public. The evidence they took proved the restoration of confidence. Mr. Ingham stated that he had sold, for 20 years' purchase, a farm of which the lease had 18 years to run. It was shown that since 1840 new streets, manufactories, and some hundred houses had been built in South Shields, and the Royal Commission reported that in the case of Durham it had been proved that leases with 17½ years to run, had been sold for two-thirds of the value of the fee. They recommended a settlement on the basis of continual renewal, subject to a re-valuation every 21 years. Those Commissioners reported in 1850, and in 1851 a Bill was introduced into the other House to carry out their recommendation. The Lords referred it to a Committee. In their Report they said that the lessees had an "expectation of renewal sufficiently definite to be treated as a certainty;" also, "that any injury should be considered and compensated," and they desired that a system of voluntary enfranchisement should be established, which might be made the basis of future compulsory enfranchisement. The Act of 1851 established that system of voluntary dealings under the direction of the Church Estates Commissioners. That Act had been most successful in its operation. The annual Reports of the Church Estates Commissioners showed a large amount of transactions which, being voluntary, were necessarily satisfactory to both the lessee and the Church; and to refer again to the case of South Shields, the rateable value of the borough had increased 70 per cent in 10 years, mainly under the operation of the Act. Lessees had been ready to enfranchise, and the proof of the successful operation of the Act had been shown by numbers of cases in which persons who wished to erect buildings bought the lessee's interest at prices far beyond the value of the mere 14 or 21 years' possession, relying on the continued operation of the Act. For several years the Church Estates Commissioners, in their annual Report, congratulated themselves on the success of the Act. In 1868 the Ecclesiastical Commissioners pushed through a Bill at the very end of the Session, taking power to make arrangements with those Chapters which had not previously transferred their estates. Few of the lessees were aware of the Bill; but they attempted to obtain in it the insertion of clauses requiring consideration to be given to the claims of the lessees. All that they could succeed in obtaining was a recognition of the right of calling for an arbitration of the fee simple and annual value, in cases in which a negotiation for sale or surrender had been actually entered into, and the Ecclesiastical Commissioners had refused to confirm it. By the Bill the lessees were handed over to the full powers of the Ecclesiastical Commissioners, and they had already had an indication of what they feared was in store for them by the Dean and Chapter having, under an arrangement with the Commissioners, refused to renew any leases that fell for renewal after the 29th of last September; so that many of the lessees were now reduced to a bare enjoyment of 14 years of the property which they had created. He scarcely thought that "confiscation" would be too strong a word to apply to this proceeding. He might be met with this objection — the lessees knew that this was coming — they should have anticipated it, and provided for it; and he had been referred to the Ecclesiastical Commissioners Act of 1860, which defined the consideration to be given to the tenants' claims of renewal to be an extension of the leases up to 1884. But that Act referred to estates then transferred to the Commissioners, and did not meet the present case. They already had leases running on to 1891; or seven years beyond 1884, and as he had said already, leasehold interests had been freely bought since 1860, in expectation of enfranchisement on the basis of the terms of the Acts of 1851 and 1854—a process which would have wound up the system without any hardship. The Church Estates Commissioners were charged with the duty of doing justice between the Church and its lessees in cases of enfranchisement; but it appeared to him that after the estates should have been transferred, the functions of that body would cease, and their dealings would be with Ecclesiastical Commissioners, with leases running out, and no remedy against any hardships, except what that body might be pleased to allow. He was addressing a House that was elected to do justice to the tenantry of Ireland, and a Government which, with so bold a hand last Session, remedied its land grievances. The Irish Land Bill of last Session created a presumption of law in favour of all improvements being considered as having been done by the tenants. He had shown that in these Church lands the whole value had been created by the tenants. There were Church leaseholds in Ireland; and in the Irish Land Bill the lessees were declared to have the right of perpetual renewal. He was not asking that right for the lessees in the North, for he preferred an equitable system of enfranchisement; but he quoted the Irish case as a reason for doing like justice to English lessees, and they believed that justice might be done without injury to the interests of the Church. The hon. Member concluded by moving the Resolution.

MR. PEASE seconded the Motion. If discontent existed in the north of Durham on this subject, it also excited very lively interest in the southern division. The case of the holders of agricultural leases there had repeatedly been before Parliament; because, while there was no active dissatisfaction with the management of the Ecclesiastical Commissioners, the uncertainty of the tenure of these lands gave rise to a good deal of feeling. He hardly thought his hon. Friend (Mr. Stevenson) went far enough. The Ecclesiastical Commissioners might say that they were only doing what the law required of them; so that a Resolution would have very little effect, and it should be supplemented by a Bill.

Motion made, and Question proposed,

"That, in order to prevent hardship being inflicted on Lessees of the Church property of the Dean and Chapter of Durham by the running out of their Leases, on which they or their predecessors have invested capital on the faith of the continued renewal of such Leases, the Ecclesiastical Commissioners, in fixing the terms for enfranchisements or for the purchase of Leasehold interests, ought to have regard to the just and reasonable claims of Lessees arising from the long continued practice of renewal."—(*Mr. Stevenson.*)

MR. ACLAND, as one of the Ecclesiastical Commissioners, said, it was his duty to reply to the hon. Mover of the Resolution who, he was confident, was not in the slightest degree influenced by personal considerations in introducing it, but was simply discharging a public duty. As to what had fallen from the hon. Gentleman who had seconded the Motion, naturally his (Mr. Acland's) own feelings would lead him not to treat lightly anything affecting the agricultural progress of the country; but that question would be discussed on another occasion. The words of the Resolution were the very words of the Act of Parliament, which 30 years ago resolved that the just and reasonable claims of lessees arising from the long-continued practice of renewal should be duly regarded. The real question was what are the just and reasonable claims of the lessees? On this the opinion of the lessees might be referred to. The Ecclesiastical Commissioners had dealt with 6,000 leases in all parts of England, being a considerable majority of the cases required to be arranged when Parliament took the matter up. They had enfranchised 400 cases in the diocese of Durham alone; and the Church Estate Commissioners had sanctioned 600 enfranchisements on the property of this very Dean and Chapter. With the exception of the agricultural cases, the question narrowed itself to some important property in South Shields. The lessees were a small body, who had benefited by the postponement of the period for seven years longer than Parliament had intended. In 1851 the "just and reasonable claims of the lessees" were recognized by Parliament; and in 1860 the terms were finally fixed and defined. The House of Commons' Committee had advised that the system of renewal by fines should cease in 1880; but Parliament gave four years more; some of them, indeed, are now actually extended to 1891. If any cases of hardship were brought before the Commissioners, it was their constant habit to take them into serious consideration, and if they were unable to come to terms with the lessees who had an adverse interest, they had the remedy by Act of Parliament to go into arbitration. When the lessees had purchased a freehold right in the surface of the ground, they were restrained from going below the surface without consent. It was simply a question of terms. Some 6,000 lessees had willingly accepted the terms offered them, on the assumption that the year 1884 would be the extreme limit of the system. Sufficient ground had not been shown for placing them on a new footing, and he hoped the House would not agree to the Motion.

Mr. MOWBRAY trusted the hon. Member would not press his Motion to a division. Having for a great number of years been connected with Durham, he was pretty well acquainted with the subject. The object of the hon. Member appeared to be to reverse the policy of the Act of 1860; but the question had been carefully considered by Parliament, and the Ecclesiastical Commissioners had done no more than carry out their legislation. If the hon. Member's Resolution were adopted, it would not carry the matter one step further. From his experience as a Commissioner he could state that all questions of renewal were fully considered and dealt with, and he objected to any re-opening of the question.

Mr. STEVENSON, in reply, said, that the case of Durham was not met by the Act, which was intended to give an extension of terms to those whose leases expired at an early period. Accepting that principle, the final extension for Durham ought to begin from 1891, to which period they already ran. He would, however, withdraw his Resolution.

Motion, by leave, *withdrawn.*

THE PATENT LAWS.

MOTION FOR A SELECT COMMITTEE.

Mr. B. SAMUELSON, in moving for a Select Committee to inquire into the Law, practice, and effect of grants of Letters Patent for Inventions, said, he was induced to bring this subject before the House because, from an experience of more than 20 years, he was aware of the great evils attendant on the system of Patent Laws. He proposed a Committee of Inquiry in preference to asking leave to introduce a Bill, on account of the great diversity of opinion prevailing as to the best mode of dealing with the subject. The hon. Member for Leith (Mr. Macfie), the hon. and learned Member for Richmond (Sir Roundell Palmer), and other great authorities, were of opinion that the only mode of dealing with the Patent Laws was to sweep them away altogether. Others thought that by considerable alterations the system of patents might still be maintained; while there were those who maintained—and he confessed himself to be among the number—that the present laws, if administered in the spirit of their original promoters, would be sufficient, and that all that was required was to consider the spirit of the law and act upon it. To ascertain that spirit he might be permitted to refer to the Act of 23 James I., the primary object of which was to abolish monopolies, while at the same time it reserved those granted by the Crown in favour of new manufactures. The whole mischief of the Patent Laws had arisen from the interpretation given to the expression "new manufactures," which had been extended until they had been made to include any new invention whatever. He would not argue the question whether there was any inherent right in inventors to obtain patents; because he thought that patents should be granted on grounds of public utility. Inventors were frequently poor men, who were not in a condition to carry out their inventions without the assistance of capitalists, who, of course, if they advanced their money, expected to be recouped. Many very important inventions could never have been carried out without a system of protection. He would mention, in the case of two important inventions, the sums expended before any return was obtained. In reference to the self-acting mule, upwards of £30,000 were spent before a single farthing was returned to the capitalists; and upon Bessemer's improvements in the manufacture of steel £100,000 were expended by the patentee and his licensees, and seven years of the patent expired before any return was obtained. He might also mention—though it was not a case with which the Patent Laws were concerned—that the Ordnance experiments, exclusive of those which had reference to the Armstrong and Whitworth guns, cost the enormous sum of £250,000 in 10 years. This showed how hopeless it was to expect that experiments of that nature could be carried out by individuals without some protection of the results. There was, however, a great difference between the encouragement of new and important inventions and granting a patent to every frivolous matter which might be brought forward. It might be said of frivolous inventions that they would soon find their own level. He knew from experience that was not the case; and the practical effect of such patents was that they were a decided hindrance to the progress of manufactures, and there was this further evil—that in trades where great competition existed rival manufacturers took out one frivolous patent after another to protect themselves and injure their neighbours. He had in his own case to protect himself in matters in which, if any choice had been presented to him, he should have refrained from doing so. But there was another view to be taken of these small patents. In this country patents for small though not necessarily frivolous inventions were granted. But there were other countries which run us very close in manufacturing competition where they were not allowed. Consequently when our goods went into markets to which those other countries traded, our commerce was impeded by these small patents, to which our rivals were not subjected. There was another evil—patents were recklessly granted again and again, without any examination whatever, for the same inventions which had been before the public for, perhaps, 20 or 30 years. These became stumbling-blocks in the way of the progress of manufactures. The Crown granted a monopoly or privilege, and the individual aggrieved must come forward and at great expense undo what the Crown never ought to have done. If matters remained as they were, abolition, he was convinced, must come, and that he did not think desirable. They must alter the law and change the mode in which it was administered. The first thing done by the change in the law effected by the Act of 1852 was to cheapen patents. To that he had no objection; but it pre-supposed that patents should only be granted where there was really an invention and one of some importance. The intention of Lord Colchester, who introduced the law into the House of Lords in 1851 was that precautions should be taken. Examiners were to be appointed to ascertain two points—whether inventions were sufficiently described and whether they were new; but that clause in the Bill was struck out after it left the other House. Words, however, were inserted to give the Commissioners power to appoint other Commissioners, who, it was presumed, would be scientific men and would perform the duty of examiners; but from 1852 learned societies and inventors had been soliciting the appointment of those additional Commissioners down to 1868, when the Master of the Rolls offered to make three appointments, with this extraordinary condition annexed—that the persons so appointed should have no remuneration. Now, that might be very well if the whole business of the Patent Office were carried on gratuitously. But was that the case? Why, in 1869 the Law Officers of the Crown received, in respect of patents, no less a sum than £10,100; while their clerks received £946. He hoped the Attorney General would explain what were the duties for the performance of which these large sums were received. The Law Officers of Scotland and Ireland received compensation to the amount of £2,850 per annum; while their clerks received £600. There was a strong party, both in and out of that House, who maintained that there would be no remedy for the abuses of patent legislation except the abolition of patents. Now, he was not of that opinion; but he thought it would still be useful that this view of the subject should be fully considered by the Committee. That was the opinion of the hon. Member for Leith (Mr. Macfie), who would probably second this Motion, and it was the only point in connection with this subject in which he agreed with him. For his own part, he believed that all that was required to be done could be accomplished by better administration of the present law with probably some slight changes. If the Patent Laws were to be maintained, it was necessary that there should be, in the first place, an examination to ascertain that the invention was new, that it was sufficiently described, and that it was useful. The present law was, on the whole, sufficient to protect all interests if administered in the spirit of those who brought in the Bill, if not of those who passed it into law. With regard to the expense and uncertainty of patent litigation, he felt that it would be difficult to provide any specific remedy for it. It was a difficulty not confined to patents, but inherent in all contentions affecting technical subjects. Hence, whilst he was quite willing that an attempt should be made to render patent litigation easier, or to improve it, he would rather rely on a diminution of the subjects of contention. Patents should not be needlessly multiplied, nor given for processes which were never intended originally to be made the subjects of patents. Without detaining the House longer, he would conclude by moving the appointment of a Select Committee.

Mr. MACFIE, in seconding the Motion, said, that the House would, no doubt, remember that two years ago he had had the honour of bringing the question of patents under the notice of the House, and at that time entered so fully into the subject that it was not necessary for him now to go over the whole matter. He was glad to think that there was a greater amount of unity in judgment as to patents and the operation of the present law between himself and the hon. Member (Mr. Samuelson) than he had anticipated. Both desired that what was just should be done, and that what was the truth should be ascertained. But they went further together, for the hon. Gentleman said that if the Parliament of this country were to make certain the proper administration of the law, there would be no necessity for an agitation for the abolition of patents. In that opinion he (Mr. Macfie) almost entirely coincided. A great change had taken place with regard to the administration of the Law of Patents, and especially as regarded the interpretation of the Statute of Monopolies. Originally it was provided that patents should not be given where they were hurtful to trade; but as patents were now administered, they were in a great many instances not only hurtful to trade, but to the general community. Then formerly it was held that mere processes of manufacture and additions to inventions could not be made the subject of patents; patents were only granted to the true inventor; whereas now they were granted to the assignee or the importer of foreign inventions. As much as £200,000 was at this moment asked by a foreign inventor for the right to vend his invention merely in this country. No doubt there was a great difference between the present state of matters and that which existed in the reign of James I., when the Statute of Monopolies was passed. Trade at that time was only carried on on a small scale, and if a patent was granted it was obviously for something of advantage to the public, and if it was used it was seen that it did not interfere with any existing interest. At present, however, the reverse was the case. Let them look at the increase in the number of patents which had taken place of late years. It would be seen from a Return, for which he moved two years ago, that in 1700 there were only 2 patents granted in England; that in 1750 there were only 7; and in 1800 only 96. From that year, however, the number went on increasing, till in 1855 250 patents were granted; in 1860, 523; and he had learned from the Patent Office that for last year the number amounted to no less than 2,491. The increase was much more marked in Scotland and Ireland, because in these countries there were fewer patents granted in the olden times. Thus a vast number of monopolies had been created. He contended that the patent system was unquestionably a great obstacle in the way of our manufactures. He held in his hand the specification of a patent in connection with frills, which had lately attracted notice, and it had recently been decided to be law that where any article has been manufactured on a system patented in this country, or if any part of an article is such, the article could not be sold in this country. For instance, in the case of Betts' capsules, if it had been proved that bottles had been capped by capsules made in conflict with the patent abroad, the articles contained in the bottles could not be sold. His hon. Friend (Mr. Samuelson) had spoken of the many obstacles encountered by a manufacturer from the working of the present Act. In confirmation of that he (Mr. Macfie) need only appeal to the evidence of such men as Sir William Armstrong and Mr. Scott Russell. In the memoirs of Brunel they would find the opinion of that eminent engineer recorded against the Patent Laws. He considered them the great curse of the day, both to the inventors and to the public, and argued that they should be done away with, for the more competition there was the better was it for the public. It was very interesting to observe how the views of men of eminence had become modified and enlarged in reference to this question. He would point to Earl Granville, who was Chairman of the Committee of the House of Lords in 1851 on the Patent Laws, and is strongly against them. His Lordship, in his Report, said—

> "The last witness was the Master of the Rolls, who, notwithstanding the experience he had had as one of the Law Officers of the Crown, was decidedly of opinion that the Patent Laws were bad in principle, and no advantage either to the public or to the inventors."

All the evidence brought before the Committee—both by those who opposed the Patent Laws and those who were in favour of them—had tended to confirm Earl Granville's opinion that the Patent Laws were indefensible, not useful to inventors, and disadvantageous to the public. In the Reports by the International Jury on the French Exhibition, hon. Members would find a very long and well-reasoned article, in which the most eminent authorities of France declared themselves against the patent system. Mr. Cobden was decidedly opposed to Patent Laws. ["No!"] Well, he had in his hand a transcript from a letter written in 1862, in which Mr. Cobden declared that he had a growing doubt as to the value and justice of the system, whether as regarded the interests of the public or of the inventors. The Earl of Derby, when Lord Stanley, declared in the House of Commons that the Patent Laws did more harm than good, and if called on to say "aye" or "nay" for their continuance, he would say "nay;" but that as the question was one that required careful handling he thought it had better be left in the hands of the Government. In Belgium the feeling was most decidedly against patents. In Germany Count Bismarck had also declared against them, and in Holland patents had been completely abolished. Some might say—Cross the Atlantic, and see that model country, the United States. Well, he (Mr. Macfie) did not quite think that America was a model country—it was a highly protectionist country, and behind the age. But, at the same time, he was glad to see that there was a change of opinion going on, and that the question of the policy of patents was being agitated there, and free-trade principles were beginning to occupy the minds of the people. In England the larger Chambers of Commerce had petitioned the House in favour of an inquiry into the policy of the existence of patents. Liverpool, Newcastle, and Edinburgh had asked the House to go to the root of the matter—that was not to the amendment of the law, but to ascertain whether such a law as this ought to exist at all. From a private letter which he had received from a patent agent, he was told that the reason why Holland abolished patents was that it wished to get an advantage over Belgium. Well, what was good for Holland was certainly good for England; and if Holland was encumbered in the race of commerce and manufactures by the existence of patents, how much more so must be a great country like England. If it was a just principle for Holland to abolish patents, he could not but come to the conclusion that it would be a just thing for England to follow its example. In Prussia there were only 103 patents in a year, while in this country the number was 2,500. Nature intended that men should be mutual benefactors; but the Patent Laws contravened this great principle and induced men of science to conceal their knowledge instead of using it for the advantage of mankind. A licence or royalty was a much worse tax upon industry than an ordinary tax, for whereas the latter was fixed and certain the former was arbitrary and uncertain. Patents, in reality, constituted that property which would not be property without them; but he believed that other incentives might be found to stimulate men to benefit their fellows by means of their inventions. Most manufacturers were inventors, but very few became patentees. The professed inventors were very few, and it was for their benefit that the Patent Laws were maintained. He knew that many working men had been inventors and had taken out patents—perhaps one patent out of five was taken by a working man. The trouble and time which was required to bring an invention into notice was generally more than it was worth —to say nothing how men's minds were distracted, and drawn away from their proper occupations. But were they, for the sake of benefit to perhaps 500 of these deserving persons, to inflict injury on 20,000,000 or 30,000,000? On the other hand, a foreign manufacturer might defy our Patent Laws, or a foreign inventor might license his own countrymen or grant licences in Belgium or Holland, while he withheld them from our manufacturers. If licences were permitted at all they should be made compulsory. The effect of these restrictions was to diminish competition and so to restrict employment; and, on the other hand, to raise prices so as to diminish consumers. His argument was this—that if the nation got the use of inventions without granting patent rights the price would be considerably lower; and that these rights should not be granted, because there were better means of obtaining the knowledge of use of new inventions. He was free to admit that much might be said for well-constituted Patent Laws; but the real question was whether something better still might not be devised. In other words, the question was whether we should not have a system of money rewards for inventors? Another matter for consideration was whether by international negotiation we might not get rid of the injustice to manufacturers in a country where a patent existed when there was no such patent in other countries. It was this country that had led the way in instituting these monopolies called patents; and he trusted that this country would also lead the way to free trade in such matters without, at the same time, doing any injustice to inventors.

Mr. CHICHESTER FORTESCUE said, he rose at that period of the debate because, without going into the merits of the Patent Laws, it might be convenient for him to state the course which the Government proposed to adopt. Last year and the year before, when asked their views as to the appointment of a Committee, proposed by the hon. Member for Leith Burgh (Mr. Macfie), the answer of the right hon. Gentleman then President of the Board of Trade and of the Prime Minister was that the Government would be ready to agree to it. The Government had not changed their opinion. It seemed to them that the position of the question was such that it would be very unwise to discourage further inquiry. The Patent Laws were sure not to be left untouched; there was certain to be legislation, or attempts at legislation, with respect to them; indeed, the hon. and learned Gentleman (Mr. Hinde Palmer) had given notice of his intention that very evening to move for leave to bring in a Bill on the subject. On the other hand, it was evident that the question was not ripe for effective legislation without further inquiry. There had been no Committee of the House of Commons on the question since 1864, and the Commission which reported a few years ago had by no means exhausted the subject. He hoped, therefore, the representatives of the various opinions entertained on the question would think it advisable that this inquiry should be held, and that the appointment of the Committee would conduce to the settlement of this long-vexed question.

Mr. G. B. GREGORY said, that though not prepared to object to the appointment of a Committee, he was not very sanguine of any beneficial results. We had had inquiries before, and if the state of the Patent Laws was so unsatisfactory as had been described, he saw nothing for it but total abolition. As to what had been said by the Mover of the Committee, that patents should be granted only when three conditions should be fulfilled—namely, that there should be novelty, a sufficient description, and utility—what tribunal could be established to determine things which were matters of opinion? How could any body of men properly determine the question of utility? Then an invention which was not useful now might at a future time, and under other conditions, become useful. The question of utility really must be one of opinion merely, and yet it was to be absolutely decided before a patent could be granted. The number of applications for extension of the 14 years showed that many patents only came into use so closely as not to pay the patentees during the 14 years, and his experience in past time led him to the conclusion that a patent-right was little more valuable to a manufacturer than a trade mark which was now protected.

MR. MUNDELLA said, that our Patent Laws were probably in a more anomalous state than those of any other country, and might be a very proper subject for inquiry. At the same time, he did not see what was to be gained by it. He was convinced the proposed Committee would furnish them with no more information on this subject than they had already received from the Committee of the House of Lords and the Royal Commission which reported in 1864; and there had been various inquiries outside Parliament. He thought, therefore, that the whole subject of the Patent Laws was ripe for legislation. There was no doubt in the country in what direction that legislation should proceed. The evil was a crying and notorious one, and what was wanted was courage on the part of the Law Advisers of the Crown to apply a remedy. His hon. Friend (Mr. Macfie) had cited the case of Switzerland. It was true that Switzerland had refused to establish a Patent Law, and in Holland it had been abolished. But why? There was not a ton of coal or iron in all Switzerland, and she could not construct a machine there. Every machine which the people of Switzerland required had to be imported from a foreign country. Under these circumstances, it was not to be wondered at that she should be willing to steal from France, Germany, and Italy whatever she could to aggrandize her own manufacturing districts. But who ever heard of the artizans of this country going to Switzerland or Holland for employment? He believed the American Patent Law was superior to any which existed in any other country. The cost of a patent to an American inventor, which was guaranteed to him for 17 years, was 35 dollars; while the cost of a patent to an English inventor for 14 years was 875 dollars. That was the first great secret of the defect in our Patent Laws; for he agreed with the hon. Member for Banbury (Mr. Samuelson) that the greater proportion of the inventors in this country were working men; but no working man could pay the enormous cost of a patent, and he was obliged, therefore, to associate himself with the capitalist, who too often made the bargain on terms not of equality or of mutuality. His hon. Friend had referred to the insignificant inventions for which patents were granted in this country—or even for slight improvements on existing inventions. It was said that the Attorney General examined into the matter before he sanctioned the grant of a patent; but he (Mr. Mundella) would engage that if 10 men applied in different terms for a patent for really the same thing, they would all get it. In America, on the other hand, there was a real previous inquiry, as was shown by the fact that last year the Commissioners refused 5,285 applications for patents, this being about 28 per cent of the whole number applied for. So real was the examination, that of 13,000 patents granted about 12,500 were refused in the first instance, and were only granted upon material modifications being made in the specifications. He agreed that there should be reform in the Patent Laws; but he thought that the greatest blow they could inflict on English industry would be to destroy property in inventions. He hoped that the Government would take care that every shade of opinion should be represented upon the Committee. The condemnation of monopolies ought not to extend to patents by which an inventor was allowed to enjoy for a limited period the exclusive use of his own invention. Were they going to deny to the inventors, who for years had devoted themselves to the perfection of machinery, that they had a right of property in that which they had produced? He could point to hundreds of poor men who had risen to affluence through the property they enjoyed in their inventions. Sir David Brewster once said—"If you once open this question you will find that there are other questions opened at the same time;" and there were other rights created by the law besides patent rights. They ought not to go into the inquiry pledged to any particular view of the question, and when the Committee reported, legislation ought immediately to follow.

Mr. STEPHEN CAVE wished to say a few words in excuse of the system of granting patents for inventions, which he would separate altogether from the Patent Laws. The opponents of the system seemed to take this position, that the law was such a hopeless deformity on the statute book that no amendment could make it any longer tolerable, and this appeared to be the conclusion of the Commission which sat in 1864, which, he agreed with the President of the Board of Trade, seemed not to go into the root of the matter, but to make certain recommendations of a palliative nature, and to conclude, as if in despair, with an indirect condemnation of the system. So, again, the Law Officers of the Crown—if they followed one of the most eminent of them the hon. Member for Richmond—seemed desirous of getting rid, at a very considerable sacrifice of income, of what they could not but consider an abuse. He hoped the Committee would not deem themselves so much bound by this weight of authority as not to take an independent course; but that they would weigh well the advantages of the present system, and the possibility of amending the laws which regulate it, before they decided to sweep it away altogether. We were too apt in this country to swing like the pendulum from one extreme of opinion to the other, and the British public, feeling the evils of the present practice of taking out patents for every conceivable thing, from a telegraph or steam-engine to the collar of a shirt or the button of a glove—feeling the mischief of trivial, useless, and fraudulent inventions, so called, were just now in a humour to make a clean sweep of the whole system. He could not see the distinction, on principle, between copyrights and patents for inventions, though he admitted that the inconvenience they might occasion to the public might be great in one case, and scarcely appreciable in the other. He could see no reason, on principle, for refusing protection in one case more than in the other, unless we were prepared to say that the owner of any kind of property ought to surrender it to the public, when the public fancied it, without compensation. It should be remembered that the proprietor in this case could protect himself by keeping his invention secret. Who could say that many of the arts which were now lost might not have been preserved if there had been rewards to inventors for communicating their discoveries in earlier days? Might not the everburning lamps of the Rosicrucians; the old art of painting on glass; the artists' colours of Flanders and Tuscany, as vivid now as they were 500 years ago, have become the common property of the world? His impression was that at the root of all the mischief of the present Patent Laws lay the want of a proper tribunal, the members of which, combining legal and special knowledge, should refuse patents which ought to be refused, and, if they did not constitute the Court before whom disputed cases were tried, should act as assessors to the Judge who tried them. He could hardly imagine a system more calculated to enhance the evils complained of than one which, admitting almost every claim, left the opposition to interested individuals, and committed delicate and difficult questions to a jury hopelessly puzzled by counsel. No one could deny the hardship to manufacturers of having to buy up a mass of obstructive patents of modifications of machinery which would naturally occur to those engaged in working it, and of patents which, like bubble companies, were only meant to be bought off. We knew how long the best sewing machine was excluded from this country, and annoyance and obstruction had arisen from patents for various modes of making sugar, the principle of which had long been known and acted upon in the Colonies. He was most desirous to stop this levying of black mail, which might be done by better previous examination and a more competent Court for the decision of cases. He could not, however, reconcile it to himself to take away from the poor inventor what was so often his only possession, and to which he was as fully entitled as the manufacturer to his trade mark, without at least trying the experiment whether a tribunal could not be constituted which would be able to confine the granting of patents to cases of great ingenuity and merit and great public utility. Such a tribunal would cost the country nothing; there need only be a transfer of those fees now paid to the Law Officers, besides which, there was a surplus fund of from £40,000 to £60,000 a-year now paid into the Exchequer. He had no great faith in Government rewards to inventors. However carefully dispensed, they would give rise, as selection of another kind probably would, to great dissatisfaction. The Committee should bear in mind two things—first, that an attempt to amend the Patent Laws, even if it failed, would only cause a brief delay, after which a proposal for their abolition would command, in a much greater degree, the public assent than if forced on at the present moment; and, secondly, that the system of granting patents, if not the cause of, was at any rate contemporaneous with, greater activity and fertility of invention, and that in the most useful and important directions, than had been recorded at any former period of the history of the world.

MR. SAMUDA thought that an investigation of the point would reveal the fact that, on the whole, inventors were losers by their inventions, and this was a point which required very careful looking to, and if inventors gained nothing while the public lost, our system of patents was a failure. He would much like to see the inventors protected in their inventions if this could be done without disadvantage to the public; but he confessed that his doubts as to this being possible were, as in Mr. Cobden's case, "continually growing." The effect of patents, as a general rule, was to embarrass the true inventor, and to give—not a great, but still to some extent—an advantage to an unfair inventor; for whenever an invention was patented which attracted public notice a number of persons made it their business to apply for patents so worded as to interfere seriously with the results which the inventor might have obtained and be working out. If some plan could be devised for preventing the grant of patents to adventurers of this sort, and which were generally known as "fishing patents," which blocked the way of the true inventor, and were only applied for that they might be bought out of the way, and if at the same time you could insure some reward to the real inventor, there would be much to be said for the patent system; otherwise patents would be much better abolished altogether. In any revision of the present Patent Laws, he thought it indispensable to require the full and complete specifications to be lodged at the time of applying for the patent, and thus do away with all limit of time for complete and subsequent specification as now, and again it would be most important to revise and restrict the subjects of patent, and not allow a trifling variation in combination of old and well-known appliances to be patentable. Some such changes as these might work advantageously. He was, however, quite opposed to a special tribunal, sitting in judgment, on the novelty and usefulness of the patent applied for. That must be left wholly to the care and responsibility of the patentee.

THE ATTORNEY GENERAL said, he quite agreed that this Committee should be appointed without any foregone conclusion. It should be free to inquire into the great question whether or not patents should be altogether abolished—a point which was not referred to the Commission of 1864—and, if not, what alteration and improvement could be made in the law? He would not disguise from the House that he very much concurred in the concluding paragraph of the Report referred to—that some of the evils complained of were inherent in the nature of the Patent Laws, and must be considered as the price which the public paid for their use. But, at the same time, he thought that the evils of the Patent Laws were very much exaggerated by the hon. Member for Leith (Mr. Macfie); and he would call the hon. Member as a witness against himself. The hon. Member was asked whether he had personally experienced any inconvenience from the 400 patents that existed in his own trade? and he replied—"Not in the smallest degree." Therefore, he (the Attorney General) could not help thinking that the views that had been expressed on that part of the subject were much exaggerated. No doubt manufacturers had an objection to new inventions, because they found it inconvenient when machinery, that had cost them much money, became out of date, and had to be replaced by newer inventions; but, on the whole, he must say—though he did not wish to prejudge the question—that his impression was against the abolition of the Patent Laws. The object of those laws was the benefit of the public. What were the advantages supposed to be conferred by them? Their purpose was to encourage men to invent, and to publish their inventions. Suppose there were no Patent Laws, what would be the consequences? Let the House remember that there were three classes of inventors—the purely scientific men, who made discoveries from the love of truth, and were quite willing to throw them open to the world; the manufacturers who invented for their own benefit, and took uncommonly good care to keep their inventions secret; and a third class, which the Patent Laws had called into existence—namely, professional inventors, whose avowed business was to gain by their discoveries, and who naturally not only published the results of their efforts, but made very vigorous attempts to overcome obstacles to their general adoption. This class were the creatures of the Patent Laws, and he believed they owed the greater part of their most valuable inventions to them. It seemed to him that it would be a strong and unwise course to destroy those laws, and with them to destroy the class. What were the objections to the Patent Laws? That their influence had been too great—that they had produced a surfeit of inventions, good, bad, and indifferent. On the same ground a farmer might complain that his manure had been too vigorous in its operation—that in the heavy crop of corn there were so many weeds. Well, the weeds were there no doubt; but could he have had the wheat without them? His opinion was that the inconveniences occasioned by bad and useless and obstructive inventions were more than counterbalanced by the good wrought by the useful ones. But if the Patent Laws were to remain, their mode of operation was susceptible of great improvement. The tribunal for the trial of patent cases might be amended by abolishing the jury and substituting scientific assessors. It was a further question, whether it would or would not be well to establish a special tribunal for the trial of patent cases? The process of repealing patents might be facilitated and cheapened. There was another point that had not yet been touched upon. As the law now stood the provisional specifications alone were liable to supervision. As soon as the inventor had filed them it was the duty of the Law Officers to see that they clearly and fully described the nature of the invention. If satisfied on that point the patent was granted, and the inventor could afterwards file any complete specification he pleased, without any control or supervision whatever. Now, it seemed to him that the filing the complete specification, fully and clearly describing the nature of the invention, should be a condition precedent to the granting of the patent, and not subsequent to it. Indeed, he was disposed to think that by doing away with the provisional specification altogether they would get rid of half the useless inventions now patented. There was another question in reference to the nature of the preliminary investigation prior to granting the patent. It was confined, in ordinary cases, and in the absence of opposition, to seeing that the provisional specifications clearly described one invention, and only one; but those persons were in error who thought that the task was an easy one. He and his learned Friend the Solicitor General had each a clerk exclusively employed in the work, who reported to them. It sometimes happened that specifications were sent back again and again for correction. His duty involved him in an extensive correspondence with inventors, which was not always of the most agreeable kind, for when they insisted in putting forward inaccurate specifications he always refused to pass them. If they did not describe in his opinion a real invention, he took it on himself to refuse the patent—he had done it very often. Again, persons often tried to crowd half-a-dozen things in one specification—a practice that had to be vigilantly repressed. Frequent attempts were also made to conceal the nature of the patent by the title; but he considered it to be absolutely necessary that the title should give due notice of the nature of the specification, and he always took care that that was done; otherwise persons who might desire to oppose the invention, on the ground that it was not a really original one, would be at a serious disadvantage. An important question arose, however—whether the examination should not be carried further, and comprise, in every case, an inquiry as to the novelty and utility of the invention? A different tribunal would be requisite if that were done; but if the examination was not to be extended beyond its present limits, he thought that the existing tribunal was sufficient. The hon. Member for Sheffield (Mr. Mundella) had described the working of the system in America. It was, however, right that the House should be in possession of the other side of the picture—because it was not true that England in this matter had much to learn from the Americans, or that the preliminary inquiry was of any advantage. With reference to preliminary examinations by the Court, he could not do better than cite the testimony of Mr. Carpmael, who said—

"If such were the practice" (preliminary examination) "there would be many cases of trades and individuals in trades constantly opposing, so that none but a rich inventor could ever hope to get a patent against such a phalanx of opposition."

And in answer to the question,

"Would there be any disadvantages arising from it?" he said, "I should say that it was all disadvantage, and no possible benefit."

He might also call attention to what had been said by Mr. Woodcrift, at the head of the Patent Office, who said—

"The Americans pay about £23,000 a-year for preliminary examination, and they are very much dissatisfied with it."

He added—

"The system of preliminary examination has been tried and found wanting. It is in operation in Prussia, but does not give satisfaction. It was tried in France, Austria, Sardinia, and Belgium; but, being most unsatisfactory, was abandoned in each country. It is now going on in America at an enormous expense, and the Chief Commissioner wrote to me to say that it was a very inadequate system, and a very unfair one."

He would also read an extract from *The New York Tribune*, which appeared in *The Scientific American*, December 3, 1870, as follows:—

"*The New York Tribune*, in a recent editorial referring to patents and inventions, says our Patent Laws seem to need an amendment which will assimilate them in an important respect to the British. The Patent Office here, as there, should simply register claims to have made inventions or discoveries in their order, without undertaking to pronounce upon their novelty or value, and all questions thence arising should be taken directly to the Courts, and there settled. This is the British rule on the subject, and it is much better than ours. Let the inventor make what claims he will, and let the Court determine their validity. Our laws give the Commissioner and his examiners entirely too much power—power which the best functionaries might abuse through defect of information or error in judgment; which the worse certainly do and will use most unrighteously."

He had called attention to these extracts in order that there might be no foregone conclusion in favour of this inquiry. It was just as well it should not be supposed that the arguments were entirely on one side. Of course, they all agreed that it was extremely desirable that the Committee should represent both sides and different opinions of the House. He trusted the inquiry would be comprehensive and satisfactory, and that it would furnish very valuable data for legislation.

MR. HINDE PALMER, who had given Notice of Motion for leave to introduce a Bill to amend the Law relating to Patents for Inventions, said, that the Bill of which he had given Notice had been prepared by the light of the information derived from the previous investigations that had been held into the subject of the Patent Laws; and his opinion was that if his Bill, after being read the second time, was referred to a Select Committee, or went into Committee in the ordinary course, it might easily be made amply sufficient to meet all the objections now urged against the Patent Laws and their administration. What he desired to see was their amendment, not their abolition. When he reflected that the greatness of England was so eminently attributable to her manufacturing genius, which depended so much on her improved machinery, and that the improvements in her machinery were coeval with the existence of the Patent Laws, he felt that they ought not lightly to be abolished. The Attorney General had already refuted his hon. Friend the Member for Leith (Mr. Macfie) out of his own mouth; but he had omitted to state that the hon. Member had solicited the opinion of a number of leading manufacturers on the question of useless and obstructive inventions, and they had declared that little or no inconvenience had been occasioned by them. In a former debate, the hon. and learned Member for Richmond (Sir Roundell Palmer) cited, among the authorities in favour of the abolition of the patent right, the hon. Member for Oldham (Mr. Platt). But that hon. Gentleman, in presiding, in January, 1870, at a meeting of the Manchester Institute of Engineers, had said that, though there were defects in the Patent Laws, there was no reason why they should not be amended, instead of being abolished. Again, while the Royal Commissioners said there were inherent objections in the system, which they did not see could well be got rid of, yet they did not go so far as to recommend abolition; which

Sir William Fairbairn, one of their number, and than whom there could be no better authority, thought would be ruinous to the industrial prosperity and inventive talent of the country. Although he signed that Report, it was with the qualification that, in his opinion, it was essential to the wants of the community and to the progress of practical science that the laws should be maintained. While his hon. Friend the Member for Leith (Mr. Macfie) was anxious for a Committee, with the view of reporting in favour of abolition, he (Mr. Hinde Palmer) hoped the Committee would not be of such a complexion as would indicate a foregone conclusion. The working men, from whom had sprung many of the grandest inventions which had enriched and improved this country, were mainly interested in the question. A meeting of skilled artizans had recently been held in Aldersgate Street, presided over by the hon. and learned Member for Richmond, the hon. Member for Leith being present, and both of them advocating abolition. Mr. Galloway, of Newcastle, was to have proposed that the Patent Laws were a hindrance to genius, science, and progress; but, after the discussion, Mr. Galloway moved that protection was absolutely necessary by which the inventor should be secured a legitimate right in his inventions—a resolution which was carried almost unanimously, only two hands having been held up against it. That, he (Mr. Hinde Palmer) believed, was the opinion of the working classes throughout the country, the vast majority of whom were against abolition. Then Mr. Stuart Mill, in his well-known work on *Political Economy*, had expressed his opinion to the effect that—

> "It would be a gross immorality in the law to set everybody free to use a person's work, without his consent and without giving him an equivalent, because it would be practically making the men of brains still more than at present the needy retainers and dependents of the men of money-bags."

But the hon. and learned Member for Richmond (Sir Roundell Palmer) himself was of opinion in 1851 that it was as complete a fallacy as was ever uttered to say that the grant of a patent was a concession of monopoly, and he said that patents should be dealt with the same as copyright, to which they were analogous. The Bill which he (Mr. Hinde Palmer) had prepared would grapple with the present defects in the Patent Laws, and if the Committee were granted it would supersede the progress of the measure. He should, nevertheless, persevere with it. The Bill, indeed, might be referred to that Committee, who might find it a very useful foundation for the amendment of the laws. It had not been drawn with the view of providing the substitute which was a favourite idea of the hon. Member for Leith, who thought inventors might be rewarded by the State, instead of being granted patents. That was, in his (Mr. Hinde Palmer's) opinion, an utter fallacy, as shown by the present Earl of Derby, the Chairman of the Patent Law Commission, who, at the British Association in Manchester in 1861, pointed out that no tribunal could be found satisfactorily to decide the claims of inventors, some being rewarded too highly, and *vice versâ;* while the value and merit of other inventions might not be recognized till after the death of their authors. The Prime Minister himself, too, last July had said that such a system, besides being a heavy demand upon the public purse, would lead to universal confusion. If the House adopted improvements in the existing laws it would meet, he (Mr. Hinde Palmer) was sure, all the objections on which the abolitionists relied. Instead of continuing the preliminary investigation in the hands of the Law Officers of the Crown, his Bill would entrust that duty to three special Commissioners, as was done so successfully in America—

Mr. SPEAKER said, the hon. Member was not in Order in entering into a detailed description of a Bill which was not yet before the House, and which was on the Paper for a later hour. The hon. Member's remarks should be reserved for his Motion.

Mr. HINDE PALMER resuming, expressed his hope that, in the interests of commerce and manufacture, as well as skilled artizans, the House would pause before it did anything to sanction the total abolition of patent rights, and thereby deny all protection to inventive genius.

Mr. PLATT, as a patentee and user of patent inventions, avowed himself in favour of the Patent Laws, and that all objections would disappear if a proper preliminary examination were instituted. It was quite notorious that patents were often granted, embodying improvements similar to those already patented; and it was almost impossible for the Law Officers, in regard to matters of a technical character, to find out the distinctions from the language of the specifications. Owing to her patent system, England was now the best market for inventions, so that English manufacturers were often in possession of important improvements many years before those of any other country. That was a great advantage. He believed it was in the interest of the public that patents should be retained, believing that their tendency was to reduce the cost of manufacture. Many parties engaged in the manufacture of patented articles were strangers to the invention—as for example, Mr. Bessemer, in his invention in regard to steel, had never any connection with the manufacture of steel, and without the security of the Patent Laws the probability was that we should never have heard of that invention — at least for many more years to come. It did not follow that by the abolition of patents they would abolish secresy. He knew a gentleman who had an invention which he kept to himself for 25 years, and this monopoly he would perhaps retain for another 25 years. But under the Patent Laws an invention was certain to become the property of the public after a certain limited time. He maintained then that, with a proper discrimination, the granting of patents was a benefit to the public. What was called a combination patent in a mechanical sense was one of the most dangerous that could be granted. In such cases the parties never disclosed the parts which were new until perhaps in the course of some trial, at a ruinous cost to a manufacturer; and, indeed, it was possible, even in the course of the trial, that the combination might be changed. To prevent such an abuse, the parts in the specifications which were claimed as new should be coloured to distinguish them; and he agreed also that it would be well to do away with provisional specifications, and insist on complete specifications at the time the patent was granted. As to the trials of patent causes, these were almost mockeries. It was next to impossible that the Judges should understand the technical questions that came before them without the help of experts; but if experts sat with them, no other alteration in the tribunal would be necessary.

Mr. B. SAMUELSON, in reply, said, he would give every assistance to make the Committee perfectly impartial.

Resolution *agreed to.*

Select Committee *appointed,* "to inquire into the Law and practice and the effect of grants of Letters Patent for Inventions."—(*Mr. Samuelson.*)

And, on March 16, Committee *nominated* as follows:—Mr. Attorney General, Mr. Gordon, Mr. Arthur Peel, Mr. George Gregory, Mr. Hinde Palmer, Mr. Stewart Hardy, Mr. Macfie, Mr. Cawley, Mr. Platt, Mr. Hick, Mr. Mundella, Mr. Mellor, Mr. James Howard, Mr. Elliot, Captain Beaumont, Mr. Joshua Fielden, Mr. Dillwyn, Mr. Orr Ewing, Mr. Pim, Mr. Laird, and Mr. Samuelson:—Power to send for persons, papers, and records; Seven to be the quorum.

And, on March 17, Mr. Chancellor of the Exchequer, Mr. Lopes, Mr. Andrew Johnston, Colonel Wilmot *added.*

NATIONAL DEBT.—RESOLUTION.

Mr. CANDLISH rose to call attention to our National Debt, and to move a Resolution—

> "That, in the opinion of this House, it is expedient to make early provision in the Estimates for reducing the Debt not less than £10,000,000 a-year."

It was, he considered, a solemn obligation of the country to get rid of the National Debt. On a former occasion the hon. Member for Knaresborough (Mr. Illingworth) said that as long as money could be borrowed by the State at 3¼ per cent, and employed at 5 per cent, it would be an improvident arrangement to pay off the National Debt. Of that statement he disputed the accuracy. Real property, of which half of the wealth of the country consisted, did not pay, on the average, more than 3 per cent; and railways, in which about £500,000,000 were invested, only yielded an average rate of interest of about 4 per cent. Taxes, again, were not ordinarily paid with money borrowed for the purpose. On all grounds, therefore, he demurred to the statement of the hon. Member for Knaresborough. Another favourite theory was that the National Debt afforded a secure investment to persons unwilling or unsuited to invest money in business avocations. Probably the whole number of our public creditors did not exceed 150,000; but, surely, it would not be said that their wishes and convenience were to be considered at the expense of the 30,000,000 forming the population of this country? It was but reasonable to deal with the National Debt in precisely the same way one would with private property—namely, discharge it from any incumbrance as soon as the means of doing so came within reach. The Chancellor of the Exchequer, in a speech delivered last year, admitted most distinctly that it was our duty to keep an eye on the National Debt and to go on reducing it. Accordingly, the right hon. Gentleman concurred in the following Resolution, which was adopted by the House on the Motion of the hon. Member for Buckinghamshire (Mr. Lambert):—

> "That, in the opinion of this House, it is desirable substantially and gradually to reduce the National Debt."

As, however, the engagement then entered into by the House and the Government was indefinite, and might result in nothing, he (Mr. Candlish) had ventured to bring the subject once more under the notice of Parliament. During the last 40 years they had literally done nothing in the way of paying off the Debt. On the accession of William IV., in 1830, it amounted to £784,000,000; on the accession of the Queen in 1837 it had increased to £787,000,000, and at the present time it stood at £801,000,000. Between 1832 and 1868 the Debt had seemingly increased by £27,000,000, though he believed there was not an actual increase, because, prior to 1855, the Government made no appraisement of the capital value of Terminable Annuities, and their value, therefore, did not enter into the account of our National Debt. If these were taken into account, he thought it would be found that the Debt had remained substantially the same. In 1855 the present head of the Government took a more rational view of the manner in which the Terminable Annuities should be dealt with, and appraised them, adding the capital value to the Funded and Unfunded Debt. That course had been pursued since, and they were now included in the present Debt of £801,000,000. It seemed a matter of great regret that a reign so illustrious for legislative and fiscal achievements should have been barren of any effort to pay off the National Debt. It was perfectly true that the Debt had had its ups and downs during that period; but it was in the last degree deplorable that such petty incidents as the expedition to Persia, China, and Abyssinia should have arrested the purpose of the nation to pay off that heavy national obligation. It might be asked —"Can the Debt be paid?" Of course, there was no obligation unless there was the power. But we had the power. We had utterly lost sight of the vastly-increased wealth of the country by means of which the Debt might be reduced. We had, indeed, displayed so much apathy on the subject, that we might seem gradually to have acquiesced in the notion that it could not be done. To pay off of the Debt had become a standing type of the impossible. But what had our fathers done? Surely, in energy, and effort, and self-denial, we were still their equals. Now, between 1815 and 1820, our fathers paid for interest £31,500,000, and as principal £5,100,000 —making a total of £36,600,000 per annum. Between 1820 and 1830 the average annual payment was £29,440,000 as interest, and £4,300,000 as principal —making a sum total of £33,740,000 per annum. Yet in 1870 we only paid for interest and on account of Terminable Annuities £27,000,000, and as principal £4,000,000—or a total of £31,000,000 a-year. Now, while we had been thus diminishing our payments on account of this Debt, the population of the country had been increasing. Our population was 18,000,000 in 1811, 21,000,000 in 1821, 24,000,000 in 1831, 27,000,000 in 1841, 29,000,000 in 1861, and last year it was estimated at 30,830,000. He was aware that it might be said that increase of population did not necessarily mean increase of wealth. But during all this period the wealth of the nation had likewise gone on increasing. According to the estimates made by Professor Levi, an eminent authority well known to the House, the wealth of the country in 1811 was £2,100,000,000, or £116 per head of the population; in 1841, £4,000,000,000, or £150 per head; in 1861, £6,000,000,000, or £206 per head; and in 1870, it had advanced to £7,000,000,000, or £230 per head, and those calculations were substantially confirmed by Mr. Dudley Baxter. With that increase of capital we had become relatively to our Debt richer—it had become less relatively to our means. In 1801 the Debt was 26 per cent of our capital; in 1841 it was 19 per cent; in 1861 it was down to 13½ per cent; in

1870 it had fallen to 11 per cent. Relatively to the population our Debt in 1821 was £39 10*s.* per head; in 1831 it was £32 10*s.* per head, and last year it was only £25 10*s.* per head. As our property had increased so also our annual income had increased. In 1801 our annual income was estimated at £230,000,000, or £14 7*s.* per head; in 1841 it was £450,000,000, or £17 6*s.* per head; in 1861 it was £600,000,000, or £20 15*s.* per head; and in 1870 it was reckoned at upwards of £700,000,000, or £23 per head. Our total income for one year was now nearly equal to the whole capital of our National Debt. Our growing wealth, too, had been evidenced by our improved living. As we have got richer we have lived in a better style. In 1820 we consumed 17lbs. of sugar per head, and in 1869 it rose to 43lbs.; in 1820 we consumed 1lb 4oz. of tea per head, and in 1869 it rose to 3lb. 10oz.; in 1820 the consumption of tobacco was 12oz. per head, and in 1869 it rose to 20oz. per head; in 1820 the consumption of wine was a quarter of a gallon per head, and in 1869 it was three-fifths of a gallon. In 1821 we paid 29*s.* per head for interest; in 1831 23*s.* per head; and in 1870 we paid only 17*s.* 6*d.* per head. Whilst the interest on the Debt had been diminishing, and our means increasing, the general taxation of the country had been reduced. From 1811 to 1821 it was £3 14*s.* per head, and in 1870 it was £2 5*s.* per head; but in point of fact it was now under £2 per head. In 1801 we paid 8¾ per cent of our income for interest; in 1840 we paid 6½ per cent, and in 1870 a little over 3·8 per cent. Five per cent of our income, or 1½ per cent less than we paid for interest alone in 1841, would realize a sum of £35,000,000 a-year—a sum sufficient to pay the present, and extinguish the entire Debt in less than 40 years. Comparing ourselves with our ancestors, it was clear that our ability to pay off these burdens had greatly increased, and at the same time we had been diminishing our contributions. And let us, for a moment, compare ourselves with two other countries—the one the great Republic of the West, and the other a small kingdom in the East. The United States and Denmark furnished illustrations of what might be done in reducing National Debt. Since September, 1865, in the United States, a sum of $437,000,000 had been paid off, being at the rate of £16,000,000 sterling per annum. In the year ending the 1st of March last £23,000,000 sterling were paid off. In connection with that fact it was important to inquire what were the relative means of the two countries. From the Report of the Special Commissioners for Revenue in the United States in 1870, it appeared that the wealth of that country was estimated at £4,700,000,000, or £120 per head of the population, whilst ours was estimated at £7,000,000,000, or £230 per head; being very nearly double that of the United States. Were we less capable than the United States of sacrifice and self-denial, or were we not so high principled in reference to our obligations? If we had made the same sacrifices as the United States we should in the past 5½ years have paid off about £30,000,000 of Debt per annum, or a total of £165,000,000. Then one word respecting the little kingdom of Denmark. In 1867 the Debt of Denmark was £14,500,000, and in 1869 it was £13,200,000, having been reduced £1,300,000 within that short space of time, being at the rate of 7*s.* 6*d.* per head per annum of the population. If we had paid in the same proportion we should have paid off £11,500,000 per annum. When France entered into war with Germany, she had a Debt of £600,000,000 sterling; he presumed there was no exaggeration in assuming her Debt to be now £900,000,000 sterling, which would entail an annual payment of between £40,000,000 and £50,000,000 for interest alone. If France was capable of enduring such an amount of heavy taxation for the interest of her Debt it was not too much to expect the people of this country, who were certainly as rich as the people of France, to be able to pay £35,000,000 a-year for principal and interest. The Debt of Prussia when she began the war was £100,000,000 sterling: this had probably been increased by another £100,000,000. She would, however, receive £200,000,000 war indemnity from France during the next three years, which sum would extinguish the Debt of Prussia. Which European Power was now stimulating us to enhanced Estimates and increased armaments? It could not be France; and if there were any reason at all for our augmentations it must be apprehension of Prussia—a country who had neither the desire nor the power to land a single soldier on our shores. But if it was otherwise, and we had to enter into a warlike conflict with Prussia, she, at the end of three years from the present time, would be free from Debt, whilst we should enter upon the strife with a Debt of £800,000,000. The question arose—How was the sum of £35,000,000 a-year to be raised? Many ingenious schemes had been suggested for paying off the National Debt. One of which was the reclamation of waste lands here and in the Colonies; another that the State should become its own banker; and another that it should withdraw all its gold circulation, and substitute for it an inconvertible paper currency: but all those schemes were as inadequate as they were ingenious. He knew of no other feasible scheme than the simple one of raising the money by the old-fashioned mode of taxation, and paying off the Debt in hard cash. But was it necessary to increase our taxation in order to do this? The right hon. Gentleman last year was able to put a very glowing Financial Statement before the country, and he at once both answered this question, and gave the key to the position which we then enjoyed in two short sentences. The right hon. Gentleman said—

> "I need say nothing of the reductions in the estimated expenditure for the Army and Navy. They speak for themselves, and as the Committee will perceive, it is mainly to them that we owe the financial prosperity which I hope I am not too sanguine in saying now exists."—[3 *Hansard*, cc. 1613.]

And the right hon. Gentleman added—"The secret of all this financial success is the simplest in the world—it is nothing on earth but economy." The prescription he (Mr. Candlish) would recommend was exactly the one adopted by the Government up to last year—that we should set ourselves to work rigidly to economize. But was there room for economy? A few figures would speedily show. From 1831 to 1840 the Army and Navy of this country cost, on an average, £13,400,000 a-year; from 1841 to 1850 these two services cost £15,800,000 a-year; and during the three years immediately preceding the Russian War, their cost united was only £16,000,000 a-year. But last year the Army cost £15,851,000, and the Navy £9,781,000, or together, £25,632,000; being an increase of £9,632,000 over the cost of the Army and Navy just previous to the Russian War. Within those two margins of cost in 1853 and 1871, the resting-place of efficiency combined with economy might, he believed, be found. Then, again, annuities, pensions, and compensations for the non-effective service amounted to no less than £5,300,000 a-year; and though that sum could not be reduced in hot haste by the mere exercise of the will, still there was room for a large, gradual, and early diminution in those enormous figures. A very considerable reduction might be made in these various items, in order to deal with the National Debt; but even if we had to increase our taxation to do it, that taxation, large as it was, was neither excessive nor onerous. The estimate of expenditure for the current year was £67,113,000, and that was generally accepted as the measure of the taxation imposed on the country; but the idea was very much exaggerated, for several of the items coming into this total amount did not spring from taxation. The whole of our Miscellaneous Estimates, amounting to £3,200,000, were not in the nature of taxation at all. There was, in these Miscellaneous Estimates, £1,000,000 for the sale of old stores from the naval and military Departments; £773,000 as a contribution from the revenues of India for military charges; £350,000 for extra receipts in the civil Departments; £21,000 derived from the *London*, *Dublin*, and *Edinburgh Gazettes;* and £594,000 from fees in public offices for specific services rendered. None of these items were derived from taxation. Then there was a sum of £4,650,000 obtained from the Post Office, and about £500,000 from the Woods and Forests, which, with other items, made a total amount of £8,675,000 to be deducted from this gross expenditure as the sum not contributed by taxation, and leaving a balance of only about £58,000,000 as the sum raised by taxation. But of that £58,000,000 at least £30,000,000 was the product of taxes on luxuries—spirits, malt, wine, and tobacco; the total receipts on these and other articles of luxury amounted to about £40,000,000, not a farthing of which could be said to press upon the industry of the country. We were not, therefore, so over-taxed as to be unable to deal with our formidable weight of Debt. If the Government would set itself to the work of retrenchment in the expenditure on the Army and Navy, and curtail the non-effective charges, he did not think it would be necessary to add anything whatever to the taxation of the country to reduce the National Debt. But if it was made to appear absolutely essential, he thought the country generally would acquiesce in the imposition of an extra 2*d.* of income tax for the purpose of achieving the great object he had in view. It would redound to the honour of the present household-suffrage Parliament if it took up and carried out the work commenced before the Reform Act, and abandoned by the middle-class Parliaments from 1833. A great advantage accruing from the payment of the National Debt would be that the vast capital its payment would set free would find employment in recruiting the industry of the country; but a yet greater good would be gained to the country by the moral strength resulting from the self-sacrifice necessary to attain so great an end. The hon. Gentleman concluded by moving the Resolution.

SIR JOHN LUBBOCK seconded the Motion. He said, national indebtedness is one of the three great dangers which threaten Europe—namely, pauperism, war, and debt. Poor Laws, in many respects, appeal to our best sympathies against our better judgment. Military enthusiasm rouses some of our deepest passions against our calmer reason; while, as regards Debt, the love of present ease stifles the voice of prudence and the sterner dictates of duty. Most European nations had immensely increased their Debts during the last 50 years. Thus, North Germany, in 1815, owed £100,000,000; in 1870, £150,000,000; France, in 1815, owed £70,000,000; in 1870, £518,000,000; Austria, in 1815, owed £99,000,000; in 1870, £300,000,000; Russia, in 1815, owed £80,000,000; in 1870, £300,000,000; Spain, in 1815, owed £100,000,000; in 1870, £225,000,000; Italy, in 1815, owed £50,000,000; in 1870, £257,000,000; and the United States, in 1815, owed £25,000,000; and in 1870, £477,000,000, making a total of £524,000,000 in 1815, and £2,227,000,000 in 1870; and if they included other countries the grand total, according to Mr. Dudley Baxter, was no less than £3,845,000,000 in 1870, against £1,530,000,000 in 1815, showing an increase of no less than £2,300,000,000, of which by far the greater part had been incurred during the last 20 years. Their own Debt, indeed, had, happily, not increased during the last half-century, but it was even now much heavier per head than that of any other country. Thus, in England the interest per head was 17*s.* 5*d.*; in the United States, 12*s.* 6*d.*; in Holland, 12*s.* 3*d.*; in Italy, 11*s.* 10*d.*; in France, 8*s.* 7*d.*; in Austria, 7*s.* 3*d.*; in Spain, 7*s.*; in Belgium, 6*s.* 10*d.*; in Russia, 2*s.* 10*d.*; and in North Germany, 2*s.* 9*d.* per head. Moreover, if they looked further back in England's history they found that the Debt had, on the whole, been increasing with terrible rapidity. In 1689 it was £664,000; in 1691, £3,130,000; in 1700, £9,407,000; in 1720, £54,000,000; in 1750, £77,000,000; in 1775, £127,000,000; in 1800, £471,000,000; and in 1815, £861,000,000, without including the value of the Terminable Annuities. From that date it began to decline. In 1825 it was £810,000,000; in 1830, £785,000,000; in 1840, £789,000,000; and in 1850 it was £787,000,000. In the Crimean War it rose, and in 1858 amounted to £805,000,000. The subsequent figures were not comparable with the preceding, because they contained the calculated value of the Terminable Annuities. The total Debt, then, in 1860, was £821,900,000; and in 1870, £800,700,000. Political enonomists had long urged the necessity of reducing Debt in times of peace. The practice of funding, said Adam Smith, in the *Wealth of Nations*, "has gradually enfeebled every State which has adopted it." David Hume, in his *Essay on Public Credit*, said, roundly, that if the nation does not destroy the Debt, the Debt will destroy the nation. More recent writers, as, for instance, Mr. Dudley Baxter and Mr. De Meschin, have taken the same view. Sir George Lewis expressed his conviction that—

> "It is certainly incumbent upon Parliament to take such means as are at its disposal to prevent us from imposing a perpetual burden upon our successors."

The present First Lord of the Treasury, during the Crimean War, made a noble effort to meet the expenses of the war out of the services of the year. Speaking of the National Debt, in 1854, he said, in eloquent terms—

> "Any man who has had to do with the administration of the finances of the country must feel how many sore evils it has given rise to—how many grievous burdens you are compelled to keep upon the people, because of the demands of the enormous, almost overpowering, maw of our Debt; how many good works you are obliged to defer, or, if commenced, brought to a stand; how you are obliged to narrow and pare; and cut down the assistance you are desirous of offering to civilized and honest pursuits, because of the immense and crushing weight of this great, permanent, and standing Debt."—[3 *Hansard*, cxxx. 373.]

The present Chancellor of the Exchequer had more than once spoken in similar terms; and no wonder. The average interest on the Debt since 1815 had been £30,000,000, in round numbers, making a total of £1,600,000,000 paid since that date for interest alone. In 30 years they would again have paid an amount equal to the whole Debt; and yet, as far as such payments were concerned, they would still owe as much as ever. In fact, not paying the Debt practically meant paying it over and over again. But it was said that if the money which would be required to reduce the National Debt was left to fructify in the pockets of the people, they would make a better use of it, because it would then be applied to increase the national wealth. This argument, if good for anything, is good against any reduction of Debt. But it is obvious that, as it has always been found necessary to borrow in times of war, if we do not repay in times of peace, we shall go on increasing our Debt until it crushes us, and national ruin would be only a question of time. Moreover, it must be remembered that taxes were paid out of income, and that the savings of the people were only a fraction of their income. It was estimated in 1866 that out of an income of £650,000,000 a-year the saving was only £140,000,000. But it was urged that the National Debt was mainly borrowed in Three per Cent Stock, and that individuals can get more than 3 per cent for their money. Three per Cents at 90, however, paid 3⅓, and to that must be added the expense of collecting the sum required for the dividends. The total Revenue last year was £68,850,000, and the expense of collection was £5,000,000. If, then, it cost £5,000,000 to collect £69,000,000, the expense of collecting the £27,000,000 required to pay the interest on the National Debt would be £2,000,000; and, consequently, the real annual cost of the National Debt was £29,000,000, and not £27,000,000. It was unnecessary to observe that even this did not fairly represent the cost to the taxpayer, which, even under the best system, was greater than the gross sum received by the State. Without, however, dwelling on this, it was obvious that the real cost of the National Debt was not 3 per cent, but more than 3½ per cent. Now, hon. Members knew that for the last three years the rate of discount on mercantile bills had averaged less than this; depositors in private and joint-stock banks received on an average less. The capital invested in railways, and which amounted to £233,000,000, receives, on an average, barely 3 per cent; and how about land? He should like to ask hon. Gentlemen opposite whether land, after deducting all the local charges, of which the House heard so much a few nights ago, paid a clear 3½ per cent? If this last argument, then, against the repayment of the National Debt broke down —if the arguments in favour of doing so were so strong—then came the practical question—what course ought they to pursue? He need hardly say that he was not going to advocate a sinking fund. No doubt money when allowed to accumulate at compound interest did increase with surprising rapidity. Many proposals to take advantage of this had been made from time to time; and perhaps the most extravagant ever seriously contemplated was that of a Frenchman, M. Ricard, who left 500 livres by will, 100 to accumulate for 100 years, and then to be spent on essays on the lawfulness of interest; 100 to accumulate for 200 years, to form a fund to reward virtue and literary merit; 100 for 300 years, when it could have increased to 226,000,000, to found banks and museums; 100 for 400 years, when it would have amounted to 30,000,000,000, to build 100 towns in France, each with 150,000 inhabitants; 100 for 500 years, when it would have reached four millions of millions, and was to be devoted to various miscellaneous objects—namely, to abolish fees for masses; increase revenues of clergy; maintain all French children till three years of age; found workhouses, hospitals, and asylums; and pay off the National Debts of England and France; and, lastly, the surplus was to be spent at the discretion of his executors. A sinking fund was, indeed, proposed now by no one. But neither was our present system satisfactory. We were slightly diminishing our Debt in two ways—by accidental surpluses and by Terminable Annuities. Of the first he need say nothing; but the latter—that was to say, Terminable Annuities—seemed to him to contain many of the objectionable features of a sinking fund. He objected to them on five grounds—1. They must be continued during war, even if we are borrowing at higher rates; 2. They tie up the hands of Parliament; 3. They are inconvenient to holders, and consequently are an expensive mode of borrowing; but this objection does not, of course, apply to those held by the Government on account of savings banks, &c. 4. They assume that the people have not energy or resolution enough to look the Debt boldly in the face; 5. They diminish greatly the moral effect of a reduction of the Debt. Apart from the mode of dealing with the Debt, he maintained that we were not doing enough to reduce it. Taking the most favourable period, we had, since 1857, paid off £35,000,000, being at the rate of considerably less than £3,000,000 a-year. His hon. Friend (Mr. Candlish) had shown how much more had been done by some other countries. To the cases quoted by him he would only add that of Holland, which, from 1850 to 1868, reduced its Debt by £22,000,000, or at the rate of £1,220,000 a-year—equivalent to £10,000,000 in our case. His hon. Friend proposed that we should set aside £10,000,000 a-year to the reduction of our Debt. Now, was that an unreasonable proposition? Adam Smith, writing when the national income was £10,000,000 and our population only one-third of what it was now, proposed to raise the revenue to £15,250,000, and to devote £6,250,000, or much more than one-third of the whole amount, towards the reduction of the Debt. Sir George Lewis, in 1855, thought that £5,000,000 a-year was "little" to devote to that purpose. The right hon. Gentleman the present Chancellor of the Exchequer himself said—

> "As far as I am concerned I should be very glad if the House would consent to put on a shilling income tax for the reduction of the Debt."

A shilling income tax would produce far more than £10,000,000. That was what the right hon. Gentleman considered ought to be done. But what had been done? Last year he had a surplus of £4,337,000. Yet he only proposed to devote £337,000 to the reduction of the Debt, and of this paltry amount he postponed £147,000 to the present year. He (Sir John Lubbock) did not deny that the reduction of the sugar duties was a good thing in itself. A free breakfast table would be a great boon; but his idea of a free breakfast table was the table of a man who was not in debt. Cheap tea and cheap coffee were very desirable, but tea which was not paid for was dear at any price. Moreover, he scarcely thought that our Chancellors of the Exchequer realized the inconvenience of continual changes in rates of duty. Great changes, such as those associated with the name of the present Prime Minister, might be great blessings; but constant changes were very injurious to trade. For weeks before a Budget speech we knew in the City that business was deranged, commerce checked, and speculation encouraged. He wished that for some years our Chancellors of the Exchequer would try how little, instead of how much, they could alter. Moreover, he maintained that we had now a favourable opportunity of reducing the Debt. From 1855 to 1869 not less than £23,000,000 of annual taxes had been repealed, and yet we had a surplus amounting to more than £4,000,000, and continually increasing. Under these circumstances, he ventured to urge on the House that the liquidation of Debt was a national duty and a high moral discipline; that it would be an example to other nations, and would influence the action of individuals. If the nation was indifferent to its Debt, how could we expect that private persons would exercise an exceptional prudence? The course he recommended would also greatly strengthen the country in the eyes of foreign nations, and he did not think the sum proposed by his hon. Friend (Mr. Candlish) was excessive. If adopted, the advantage would be soon felt; in three years we should have relieved the country of a permanent burden of £1,000,000 a-year, and many of us might hope to see the Debt reduced within comparatively narrow limits. The Government had a large majority, and in his judgment deserved their support; but there was a feeling in the country that in some respects they were too humble—that they underrated the power of the country. England was conscious of strength, and, though not anxious to be feared, was determined to be respected, or, at least, to deserve respect. Now, as regarded the National Debt, he had, he thought, shown that, in the opinion of our greatest political economists—nay, in that of the Government itself—the Debt ought to be reduced, that we had the means of doing so, and that the amount proposed by his hon. Friend was not excessive. If it was to be maintained that the reduction of Debt was inexpedient, let us consider the arguments on which this opinion was based; but it was evident that, on the contrary, it was admitted by all competent authorities that the Debt ought to be reduced; then let us not trifle with this duty—let us not be satisfied with paltry amounts and accidental surpluses, but let us at once make such an effort as might be necessary to effect our object, and let us do so on a scale worthy of a great, a wealthy, and a prudent people.

Motion made, and Question proposed,

"That, in the opinion of this House, it is expedient to make early provision in the Estimates for reducing the debt not less than £10,000,000 a-year."—(*Mr. Candlish.*)

Mr. J. WHITE was quite sure that if the Chancellor of the Exchequer adopted the advice of the hon. Member for Sunderland (Mr. Candlish), or that so feelingly addressed to him by the hon. Baronet the Member for Maidstone (Sir John Lubbock), he would soon lose the majority he had at his back. He demurred entirely to the comparison which the hon. Member for Sunderland had made of the debt of the nation with the debt of a private individual. The difference between the two cases was this—a private individual was bound to pay the amount of his debt some time or other; the nation, on the contrary, only granted an annuity, it might be a perpetual annuity. If the nation, in its present condition, were to pay off the Debt that was now owing, it would be somewhat in the position of a gentleman who possessed a large landed estate that was heavily encumbered, and had a large number of children to provide for, and yet allowed those children to starve, in order that he might be able to pay off his debts. That was our position. One in 20 of our population was a pauper, and how many millions were there just on the confines of pauperism? Recollect that a vast and disproportionate amount of our Revenue was extracted from the poorer classes. The total Revenue now derived from tea, sugar, coffee, spirits, malt and tobacco was £38,300,000, or £11,500,000 more than the whole amount required to pay the interest of the National Debt. The Chancellor of the Exchequer had very wisely begun the removal of the obstructions that were in the way of trade by making an important reduction in some of the taxes on locomotion. That right hon. Gentleman knew very well that taxes on locomotion were taxes on the products of the country. When we had a very formidable competition with neighbouring States in many articles of export, it was the bounden duty of the Government to do all they possibly could to reduce the cost of living and the prime cost of production. Owing to the natural increase of our population, the normal accumulation of our wealth, and the inevitable diminution in the purchasing power or value of gold, our National Debt every succeeding year must press less and less hardly upon the people of this country. Indeed, his hon. Friend (Mr. Candlish) had made a speech which entirely confirmed that view, and the statistics he cited must thoroughly convince the House that his Motion ought not to be adopted. His hon. Friend told the House that in 1811 the amount of the National Debt was estimated at 26 per cent of the aggregate value of the property of the country, and now, in the course of a few years, it was computed to be only 11 per cent. If we did not diminish our Debt, and did not embark in any war, under the process now going on, this national burden might, he (Mr. White) thought, be reduced at the end of this century to 5 per cent of the aggregate value of the whole property of the country. His hon. Friend had spoken of sugar, tea, and coffee as luxuries, but they had become actual necessaries of life, and any Government which would abolish the duties on them would be entitled to the highest praise. He had risen to address the House merely in consequence of the transparent fallacy of the hon. Member for Sunderland, and to point out to the Government that they would have very few supporters if they followed the advice of the hon. Gentleman. If the Chancellor of the Exchequer were to turn his acute mind to see how our fiscal system might yet be so modified as to afford greater facilities for the development of the commerce and industry of the country, he would be richly rewarded not only by the magnificent results, but by the gratitude which he would earn from the people.

MR. ALDERMAN W. LAWRENCE said, the words of the hon. Gentleman who had just spoken (Mr. J. White) seemed to imply that taxation must be removed from everything before we could apply ourselves to the payment of the National Debt. When the question was discussed last Session, the Chancellor of the Exchequer accepted the proposition that the Debt ought to be substantially reduced. The advantages that would follow from the reduction of the Debt had not been fully appreciated. When we saw what was being done across the Atlantic, how the United States were reducing their Debt at the rate of £20,000,000 per annum, the question of reducing our own Debt could not fail to repeatedly occur to our minds. In 1855 our funded Debt and Terminable Annuities amounted to £805,411,000, in 1870 they amounted to £800,681,000—so that in 15 years we had reduced these branches of the Debt by less than £4,800,000—a very poor result for a great country like this. He was not prepared to advocate an additional income tax for the purpose of paying off the Debt, nor ought any special tax or any special kind of property be selected to bear the burden—it would be most unfair to call upon any one interest only to contribute to this object; but he should be glad to see provision made in each Budget for paying off some portion of the Debt in an open, straightforward manner. What he would like to see was this—every year, when the Chancellor of the Exchequer brought forward his Budget, he would be able to mention that a certain amount had been devoted to paying off the Debt, besides what was now required by Act of Parliament. Under the Act, each quarter it was the duty of the Commissioners for the Reduction of the National Debt to add up the sums of receipt and expenditure, deduct the latter from the former, and apply one-fourth of the balance to the extinction of the Debt. But Chancellors of the Exchequers had rather evaded the Act, and the Commissioners for the Reduction of the National Debt had not always devoted one-fourth of their surplus to the prescribed purpose. No doubt the Chancellor of the Exchequer thought he might use the money in a more profitable manner, and, perhaps, the right hon. Gentleman could explain to the House how he had kept within the Act of Parliament. Not possessing the acumen of the right hon. Gentleman, he confessed he did not see how it was done. It seemed to be assumed that 3 per cent should be the minimum rate of interest in this country, and in this way the National Debt was in one sense a protection to the capital of the country—it prevented interest from being less than 3 per cent, because any man could obtain that interest for his money by placing it in the Three per Cents. But was the labour of the country protected in any shape on that account? There was no minimum price of labour. But if the Chancellor of the Exchequer were to apply £3,000,000 a-year to the reduction of the Debt; if the Government broker were 300 days in every year to purchase £10,000 worth of stock, what an effect it would have on the securities of the country. The exchangeable value of railway stock and all our various securities would rise to the great advantage of the community. But if, according to the hon. Member for Brighton (Mr. White), the National Debt was so good a thing, why not increase it? Notwithstanding its great advantages, however, according to the hon. Gentleman himself, every man in 20 was a pauper, and in this metropolis we had 150,000 or 160,000 paupers. While wealth, therefore, was increasing at one end, poverty was increasing at the other. In order to decrease that pauperism it was, he maintained, essential that some portion of the taxation of the country should be expended in reducing the Debt which would have the effect of fostering its industry. It was contended by some hon. Gentlemen that the National Debt was a benefit, because the country was bound over in a vast sum of money to keep the peace. He feared that the subject of the reduction of the Debt must come many and many a time before the House before any impression would be made upon the amount of the Debt. But he trusted the right hon. Gentleman the Chancellor of the Exchequer would begin the custom of providing in the annual Budget a sum to be applied to the reduction of the Debt; although he did not desire to see the income tax increased for that purpose.

MR. ILLINGWORTH held that the present time was inopportune for proceeding with the reduction of the Debt, as the question of the incidence of taxation, showing on whose shoulders the burden of taxation should lie, was still unsettled. Both the Mover and Seconder of the Resolution had referred to the case of America; but it should be remembered that there was this peculiarity in the case of the United States—that its public Debt had been incurred by the existing generation for war purposes, and that it was but right they should recognize the moral obligation to pay it. Happily that obligation did not lie upon us, for it had been incurred two generations back. The hon. Member for Sunderland, in moving the Resolution, had also adverted to the fact that the wealth of this country was *pro rata* much larger than that of America; but he (Mr. Illingworth) wished that the hon. Gentleman had entered into the question whether the amount of poverty in England did not exceed that of the United States—whether, in fact, there was not among our population ten times the extent of pauperism; for it was clear that those who were in the position of paupers, and immediately above it, must be exonerated from bearing any charge for the purpose of liquidating the public Debt. He objected, he might add, to the analogy which had been drawn between public and private debt. In the case of the National Debt there was no obligation to pay the principal—it was a question of national expediency whether that should be done or not—while in the case of an individual it was a matter of the clearest prudence to pay the sum in which he happened to be indebted as soon as possible, for otherwise the claim for its liquidation might come upon him at a most inconvenient moment. Circumstanced as we were, it was, he maintained, incumbent upon us to remove the restrictions which pressed on the shoulders of industry, and to impose the taxation of the country more generally upon its realized property. For these reasons it would, in his opinion, be inexpedient to take at the present moment steps to discharge the National Debt in the manner proposed.

MR. LIDDELL thought there was scarcely any feature in our national life so remarkable as the torpor which seemed to pervade the mind of the country with respect to the discharge of our national obligations. He thought it, therefore, incumbent upon Members of this House—and especially those representing large and wealthy communities—to express boldly their opinions with respect to it. He was quite aware that many of the most sagacious thinkers in this country inclined to the opinion that it was a wiser policy to relieve its industry by lightening the burden of taxation than to make sacrifices by imposing or retaining taxes for the extinction of the Debt. But he would venture to ask, with the greatest possible deference, was there no limit to this policy? This policy had been going on now ever since Sir Robert Peel so successfully carried the repeal of the corn laws. Sir Robert Peel's policy was directed to free the commerce of this country from restrictions. He succeeded; and the result had shown the sagacity and foresight of the great statesman. The right hon. Gentleman who now presided over the destinies of this country, following in his steps, and working out his great scheme, set his mind to work to relieve labour; and, though a political opponent of the right hon. Gentleman, he (Mr. Liddell) congratulated him upon the result. But we had been engaged in relieving commerce and labour from the weight of the restrictions imposed upon them by taxation for years, and he should wish to learn, from some high financial authority, whether there were any taxes which were now hampering the productive power of the country? He did not believe that there were; and he was, therefore, of opinion that the time had come when some greater effort should be made to relieve the nation from the great obligation under which she laboured. And when was that Golden Age of financial prosperity to arrive when we should be enabled to relieve—or, at any rate, to diminish—the burden of our Debt? He was afraid that, like the Golden Age of Literature, it had come and gone. Twelve months ago the Chancellor of the Exchequer held a position which he was afraid they would have to wait some time before seeing again. Then he had a magnificent surplus, and he reduced the income tax by £1,250,000, and took off half the sugar duties amounting to £2,350,000 more, and of which nobody complained, thus throwing away, in his opinion, a great opportunity; because, if he had retained these taxes, he might have made a considerable impression on the National Debt in a very few years. A good deal had been said in the course of the discussion of what had been done by America to reduce the charge which she had incurred in the late war, and he admired her efforts in that direction. But if America, with her restrictive tariff could pay £16,000,000 or £17,000,000 a-year, in how much better a position ought not we to be who were subjected to no such incubus? He did not wish that taxes should be imposed for this purpose, but only that when there was a surplus, it should not be applied to remitting taxes which did not hamper the industry of the people. They had heard much of the loss of the prestige of England—in language which he believed to be very much exaggerated; but it would be curious to trace how far the influence of England abroad was lessened by the existence of this Debt, and the absence of any commensurate effort to reduce it. Foreign statesmen might say—"England is a noble country, and we have no wish to quarrel with her; but we intend to vie with her commerce, and for that purpose a seaboard is necessary. We do not mean to be very scrupulous how we get one. We shall listen to no remonstrances from England, because she is hampered by the dead weight of £26,000,000 a-year of interest on Debt, and will not therefore go to war." It had been said that the Debt prevented us from engaging in war; and, if so, that was the best argument he had heard in its favour. The fact, however, was we had slumbered under our Debt, and had not made the patriotic efforts to reduce it which had been made by other nations. Successive surpluses, when they accrued, had been frittered away in remitting taxes which did not press upon the national industry. If hon. Gentlemen opposite, who were sometimes fond of agitation, would agitate for the payment of the Debt, he believed they would find a response from the working classes, for it interfered with their social comforts, by enhancing the cost of many articles of almost prime necessity, and thereby lessened the real value of their labour in the markets of the world.

Mr. T. E. SMITH said, he thought it would be difficult to convince the working classes that they would be benefited by paying every year, not only the interest of the Debt, but a considerable portion of the capital. He was confident that the Chancellor of the Exchequer would not propose the reduction of the Debt without fully considering the circumstance of the time when it was proposed to do so; and would consider whether we had sufficient money which we could not employ in a preferable manner, and whether our position in a future emergency would be injured by the largeness of the Debt. He denied that the Debt, large as it was, affected the credit of the country; on the contrary, we were in a much better position to bear the burden than we formerly were. Our annual income had increased so enormously that the public creditor had now three times the security that he formerly had, and if the country had to borrow any large sum he was sure that it would be obtained with greater facility than at any former time. For instance, the Chancellor of the Exchequer would have no difficulty in raising the debt to £1,000,000,000, if he could show that he had a good investment for the additional money—such as the purchase of the railways for the State.

The CHANCELLOR of the EXCHEQUER: I have listened with much interest, and I hope with much instruction, to the debate; and I must say that, in a great deal that has been said, I cordially concur. If I ventured to criticize the speech of the hon. Member for Sunderland (Mr. Candlish), I should say that I feel more certain of the general conclusion at which he arrived than I do of many of the premises by which he supported it; for I do not feel the most implicit confidence in all those estimates by which he calculated to a million the income and property of the country; nor in the various divisions, subdivisions, and multiplications to which they have been subjected in his acute and ingenious brain. Nor can I follow the hon. Member in some of his statements with respect to the remissness of former Parliaments in dealing with this subject. The fact is, that within a few years past, we have had statements made of the amount of our Debt entirely erroneous and misleading, from the simple fact that while a considerable portion of the Debt has been paid off by Terminable Annuities, it used to be the practice, from some inexplicable reason, to omit that portion from the calculations of the Exchequer, and thereby to represent the Debt in former years as less than it really was. I therefore venture to point out to the hon. Member for Sunderland that at the time of the peace our Debt, instead of being £800,000,000, was nearly £900,000,000. Since that time we have added £80,000,000 to the Debt —namely, £20,000,000 for the emancipation of the slaves, £40,000,000 for the Crimean War, £10,000,000 for the Irish Loan, and £9,000,000 for the Abyssinian War. I have provided myself with an accurate account of the state of the Debt at the present time. The funded Debt is £738,000,000, and the unfunded, I am proud to say, only £4,000,000. The Terminable Annuities, estimated at 11 years' purchase, amount to £50,000,000 —making altogether about £793,000,000. It follows, therefore, that since the close of the War, and adding the £80,000,000 I have mentioned, the Debt has been reduced from £980,000,000 to £793,000,000—a reduction not very far short of £200,000,000. Consequently, it is not fair to accuse those who went before us of having done nothing for the reduction of the National Debt. Nor can I admit that we are doing nothing in that direction, for we are paying off £50,000,000, or rather more, by Terminable Annuities; and during the course of this year we have paid off £4,000,000 or £5,000,000 of Debt, not including in that the payment of the £1,000,000 which were expressly set aside for the purpose of repaying advances made by the Bank of England. Still, I agree with the general view of the hon. Member for Sunderland as to the propriety of always reducing the Debt as far as circumstances permit. The counter proposition seems scarcely arguable. Erasmus wrote an *Encomium on Folly;* but I can imagine no task more hopeless than delivering an encomium on debt. When the hon. Member for Sunderland says that it is the duty of the Government to place £10,000,000 a-year on the Estimates for the purpose of paying off the Debt, he stopped short of the difficult task of demonstrating how that amount was to be raised. Nor am I much moved by the example of America, quoted by the hon. Member. It certainly is not the duty of the Finance Minister of this country to indulge in criticisms on the finance, of our neighbours; but I venture to submit to those who are struck with the boldness and vigour of American finance that it may be a question whether it would not have been wiser for the Americans first to restore her currency to the metallic basis, and then endeavour to lower the interest of the Debt, rather than have asked the country to pay off the Debt rapidly. I apprehend that that that would have been the course adopted by an English Finance minister. Then the real question is not whether we ought to do what we can towards the payment of the Debt, but whether the hon. Member for Sunderland counsels the House well, when he advises us to place on the Estimates £10,000,000 every year to pay off the Debt? That proposal seems to me liable to many objections. Admitting the expediency of paying off the Debt, I am for the easiest and least offensive manner possible of doing so, and I think the mode proposed by the hon. Member the most difficult and most offensive. We have had a proof of this in the course of the present discussion, for many hon. Gentlemen have mentioned numberless taxes which they would rather have repealed. The hon. Member, therefore, whenever he made his proposition would, instead of meeting with a ready assent to pay off the Debt, find everyone who had in his mind a tax which he thought ought to be repealed, running his tax against the paying off of the Debt. Then there is another objection to any such way of paying off the Debt, and that is that taxation presses very much more heavily in one year than another; that the country is not only in a different state, but that the demands on the Revenue are greater or less in one year compared with another; but the cast-iron process of the hon. Member, for making a certain annual reduction, makes no allowance for those varying circumstances. The hon. Member for the City of London (Mr. Alderman W. Lawrence) appeared as a mediator between the two controversial parties; and while agreeing with the hon. Member for Sunderland that it is the duty of the Government to reduce the Debt, is equally of opinion that it is the duty of the Chancellor of the Exchequer to make no provision for meeting that obligation. The comparison of public and private finance made by my hon. Friend the Member for Maidstone (Sir John Lubbock), does not hold good. With regard to a nation, you might increase or diminish the revenue, but the expenditure is in some degree fixed. The case, however, is different in respect to private finance, for there the revenue is fixed and the expenditure is variable, according to circumstances. With a nation, paying off the Debt is increasing the burdens of the people, whereas an individual can discharge his debts merely by the exercise of economy and self-denial. My hon. Friend also raised another question—whether the Government does more wisely in attempting to pay off the Debt by means of Terminable Annuities, or by placing this sum upon the Estimates; and my hon. Friend threw his authority into the scale in favour of the course recommended by the hon. Member for Sunderland. I will answer my hon. Friend's arguments *seriatim*. In the first place, he contends that Terminable Annuities go on in time of war, so that we are at the same time paying off Debt on the one hand and borrowing money on the other. But that is by no means necessary, because such are the advantages of Terminable Annuities, as we now employ them, that it is within our power, in any time of emergency, to stop those annuities and arrest payment altogether. I also apprehend that the advantage is considerable in regard to the payment of Debt, as we can put the thing in a train that goes by itself, almost as a matter of course, and we thereby avoid quarrelling when we come to ask for the sums to be voted. Then it is said the affair is removed from Parliamentary control. In a certain sense this is not so. No doubt, Parliamentary control is not invited, because the sum to be paid off the Debt is mixed up with the interest; but if this were carried beyond a certain limit, Parliament would soon find that Government played fast and loose with it, and Parliamentary control would not fail in such a case. My hon. Friend said, also, we lost the opportunity — if I understood him, of showing that energy that would be displayed by having a Parliamentary fight over the question every Session. That, Sir, is quite true; but I am quite sure that he is too good a political economist not to know that energy is not a good thing in itself, but only good when you cannot get a good thing without it. So, my hon. Friend the Member for Sunderland also thought we might lose the moral effect of a great effort and noble spectacle in paying off all our debts. No doubt it is a very fine thing to give a great moral spectacle. When people get into distress and misery they have the opportunity of showing a great moral spectacle, and the results no doubt are great; but, for my own part, I prefer giving no such spectacle, simply because the calamities which give the opportunity of developing those high qualities do not exist. I shall continue to think we do not unwisely by paying off our Debt in a moderate way by Terminable Annuities. The truth is, that of all economical and financial authorities the worst are those who, ignoring the existence of any alternative, strive to make out a splendid case for themselves; but it appears to me that the right management of financial affairs consists not in this adoption of a certain particular theory or view, but of that sort of tolerant moderation that tries to accommodate them all, carrying none to any excess or violent extremes. I am, therefore, in moderation, for the reduction of taxes; I am, in moderation, for the reduction of Debt. The problem of the reduction of Debt is really this—how to get into the hands of the Government a large quantity of stock which they can cancel and pay off. That may be done in various ways, and if my hon. Friend the Member for Sunderland, content with the discussion he has raised to-night, will give me his confidence for about six weeks longer, I will undertake to show him, when the proper time arrives, that I have had the opportunity of making some slight impression on the Debt of the country.

MR. CANDLISH said, he was satisfied with the discussion which had taken place, and would withdraw his Motion.

Motion, by leave, *withdrawn.*

EDUCATION—SCHOOLS (DRILL AND GYMNASTICS).—RESOLUTION.

MR. R. TORRENS moved a Resolution for instruction in military drill and instruction in rate-aided schools. The hon. Member, in support of the Resolution, referred to the example of Switzerland, which adopted this practice of giving military instruction and drill to young men attending school, which became the foundation of a general system of military efficiency and economy; and referred to the important aid to the national defence which would ultimately be afforded by the adoption of his Motion.

Motion made, and Question proposed,

"That, in the opinion of this House, instruction in military drill and gymnastics should be given in all State-aided and Rate-aided Schools to boys over eight years of age; and that a Rule to that effect should be introduced into the 'Revised Code.'"—(*Mr. Robert Torrens.*)

MR. W. E. FORSTER said, that he did not suppose that the object of his hon. Friend was more than to draw attention to the advisability of encouraging drill at the elementary schools. But, in fact, the new Code was more favourable to the scheme than he supposed. The Government was fully aware of the advantages of drill to the children themselves, apart from any possible ulterior advantages to the country; but they must remember that the large sums of money voted for the purposes of education were primarily for such purposes. The Code acknowledged for the first time the usefulness of drill, and by the 24th section they allowed two hours of drill per week for 20 weeks in the year to be equivalent to the amount of attendance at school; but he could not consent to make drill compulsory in state-aided schools. As soon as they were satisfied that "the three R's" were taught in their schools, the Government would be glad to encourage additional instruction in the other elements of education.

Motion, by leave, *withdrawn.*

PATENTS FOR INVENTIONS BILL.

On Motion of Mr. HINDE PALMER, Bill to amend the Law relating to Patents for Inventions, *ordered* to be brought in by Mr. HINDE PALMER, Mr. MUNDELLA, and Mr. THOMAS HUGHES.

Bill *presented,* and read the first time. [Bill 65.]

BURIALS ACTS AMENDMENT BILL.

Acts read; *considered* in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to amend the Burials Acts.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. CAWLEY, Mr. HOLT, and Mr. BIRLEY.

Bill *presented,* and read the first time. [Bill 66.]

ELEMENTARY EDUCATION ACT (1870) AMENDMENT BILL.

On Motion of Mr. DIXON, Bill to repeal the cumulative voting Clauses of the Elementary Education Act, 1870, *ordered* to be brought in by Mr. DIXON, Mr. BAYLEY POTTER, Mr. JACOB BRIGHT, and Mr. MUNTZ.

Bill *presented,* and read the first time. [Bill 67.]

POOR LAW (LOANS) BILL.

On Motion of Mr. RUSSELL GURNEY, Bill to make further provision in reference to Loans obtained under the Poor Law Acts, *ordered* to be brought in by Mr. RUSSELL GURNEY, Mr. COWPER-TEMPLE, and Mr. CANDLISH.

Bill *presented,* and read the first time. [Bill 68.]

CUSTOMS AND INLAND REVENUE DUTIES ACT (1869) AMENDMENT BILL.

On Motion of Mr. BOURKE, Bill to amend the Act of the thirty-second and thirty-third years of Victoria, chapter fourteen, section nineteen, with regard to the definition of the words "male servant," *ordered* to be brought in by Mr. BOURKE, Mr. CROSS, and Mr. BECKETT DENISON.

Bill *presented,* and read the first time. [Bill 69.]

House adjourned at a quarter after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, 8*th March*, 1871.

MINUTES.]—NEW WRIT ISSUED—*For* Halifax, *v.* Right Hon. James Stansfeld, Commissioner of the Poor Laws.

NEW MEMBER SWORN—John Martin, esquire, *for* Meath.

PUBLIC BILLS — *Second Reading* — Game Laws (Scotland) Amendment [4], *put off;* Education of the Blind, Deaf, and Dumb [14], *put off;* Workshop Regulation Act (1867) Amendment * [58]; Fairs * [60].

Committee — Marriage with a Deceased Wife's Sister [2]—R.P.

GAME LAWS (SCOTLAND) AMENDMENT BILL—[BILL 4.]

(*Mr. Loch, Sir Robert Anstruther, Mr. Parker.*)

SECOND READING.

Order for Second Reading read.

MR. LOCH, in moving that the Bill be now read the second time, said, the object of the measure was to remove the grievances that now existed in connection with the game laws in Scotland. Though this was the third Session in which he had introduced a Bill of this nature, it was the first opportunity he had had of making a complete statement concerning the object of the measure, of justifying the principles on which it was founded, and of stating his grounds for believing that, if passed into law, it would effect the objects in view. The two years which had elapsed since he first brought the question forward, had made him aware of many difficulties surrounding it. One of those difficulties arose from the extreme sensitiveness exhibited whenever the subject was discussed, not only in the House of Commons, but out-of-doors. This sensitiveness, however, was not, as might have been expected, found to exist chiefly in the owners of land, but was exhibited in an even greater degree by the lessees of shootings. Nor was the reason for this difficult to find. Between the owners of land and their tenants there existed the bonds of mutual kindness and goodwill, and mutual interests; whereas the lessees of shootings, whose sole object was to obtain the utmost value for their payments, had no obligations of mutual consideration towards the tenants of the ground. Nevertheless, it was the owners of land who had to bear the opprobrium of a state of things injurious to the public, and he might, indeed, say that it was in their interest, equally with that of the tenantry, that he asked the House to pass this measure. The House must not suppose that because quietude existed in Scotland in regard to this subject, therefore it was regarded with indifference—the real fact was that that quietude arose from the settled conviction that the question was in course of being settled. The strongest opinions were, in fact, entertained on this subject in Scotland; not by an ignorant, uneducated set of people moved by agitators, but among the *élite* representatives of perhaps the most intelligent class in Scotland—the great tenant-farmers—the men who, by their enterprize and capital, had converted the stubborn soil of the country into what it now was, and had raised the poor lairds of that country into the condition of wealthy country gentlemen. It was on their behalf that he now took up the question, in the hope that the Bill might lead to the removal of the grievances they were now liable to experience under the present state of the law. The necessity for a change in the law was admitted by almost everybody who spoke on the subject; he would at present only refer to the evidence given by Lord Hatherton before the Committee of 1846. Lord Hatherton, an English nobleman, who had formerly been a great game preserver, stated that the tenantry knew well that game did them very extensive damage, and that it made a great difference in coming to terms with their landlords whether the game on their lands was destroyed, or they had the power of destroying it; and he added that since he had destroyed the ground game on his property his tenants had shown an increased willingness to make improvements, and he said that he was quite confident that improvements of various sorts, in the destroying of old fences and the making of new fences, extensive drainage, and in the introduction of root crops not hitherto cultivated, would not have been undertaken if the tenants had believed that their improvements would have been subjected to the former depredations by game. Now, that evidence of Lord Hatherton appeared to him (Mr. Loch) to involve a point of the greatest importance as regarded the progress of agriculture. Ingenious calculations had been made as to the quantity of food actually consumed or destroyed by game; but, in fact, the real injury done to agriculture was caused not so much by the actual devouring of food by game, as by the state of the law deterring farmers from making improvements; for it was an admitted axiom that no branch of commerce could be advantageously carried on which was not founded upon an entire confidence in the probability of reaping due reward from it. Lord Hatherton's opinion, therefore, fully justified the proposition of the present Bill—that hares and rabbits should no longer be allowed to increase for the benefit of the landlord at the expense of the tenant. Another piece of evidence in favour of his views was the amusing speech delivered by the hon. Member for Dorsetshire (Mr. Sturt) last year on the Motion for the second reading of the Bill of the hon. Member for Leicester (Mr. P. A. Taylor). That Bill, it should be remembered, proposed the total abolition of the game laws. The hon. Member said—

> "Having said this much against the Bill, he desired to give some friendly advice to his brother preservers of game, for he believed they would take advice from him in a better spirit than they would from the Member for Leicester. Now, he confessed he did not think that everything in regard to the game laws was in a satisfactory state. The long list of convictions for poaching made him very uneasy, and was a sort of disgrace to the civilized age in which we live."—[3 *Hansard*, cci. 1400.]

And the hon. Member for Dorset proceeded to describe the measures taken by him for the comfort and wellbeing of his labourers, by which he secured their goodwill and their co-operation in preserving his game. Now, if such results could be brought about by treating people well, what need was there for the game laws in their present shape? The hon. Gentleman, after other lively and sensible observations, proceeded to give his brother landlords another piece of advice, in which he (Mr. Loch) must say he fully agreed—

> "He was not anxious to bring his own individual case before the public; but he might mention that he reared 4,000 pheasants the year before last, and that during the last 23 years there had not been on the average more than one case of poaching per annum on his estate. This was because every labourer on the estate voluntarily constituted himself a keeper of the game, as he was treated like a Christian, and, in fact, considered himself as one of the family. He wished every landlord would have all the rabbits on his estate killed, and see that his tenant-farmers were not eaten up with hares. If they took his advice they would do what was still more important, and refuse to let their places for shooting, in order to put a few dirty sovereigns into their pockets. If the landlords built cottages for and made friends of their tenants, and if they declined to make the game the subject of a money transaction, they would be able to withstand for many years the onslaughts of such men as the hon. Member for Leicester, and to keep up a noble sport and amusement which brought about and cemented those feelings of friendship and cordiality which ought to exist between all classes, and more especially between the owner and the cultivators of the soil. Nothing can be more grating to the feelings of men who occupy land, and who expend their time and their money in the cultivation of it, than to have strangers breaking through their fences, and thus putting money into the pockets of the landlords."—[*Ibid.*]

Those were the only two pieces of evidence with which he would trouble the House as regarded the necessity for some change in the existing state of the law. A condition of things which so moderate a man as the hon. Member for Dorsetshire deemed unjust ought not to be allowed to continue. He (Mr. Loch) would now proceed to show why he thought his Bill would afford a better solution of the question than any of the other propositions which had been brought forward. The first of those propositions was that game should be made property. Now, he could not understand what benefits could follow from a mere change of names. He was unable to perceive how making game property could put an end to the evils which at present existed, nor how a poacher would be deterred in any way because hares and rabbits had acquired a higher legal status than they now had. Another much more sweeping plan proposed to abolish the game laws altogether. There was a plausibility in proposing to abolish the game laws altogether, and this seemed one of those slap-dash attempts at legislation which took with people who thought that strong measures must be the best. But he (Mr. Loch) did not believe that public opinion generally, even among farmers, was ripe for any such change. At any rate, that was not the opinion of the farmers of Scotland. Nor must it be forgotten that if they abolished the game laws they must institute new and more stringent trespass laws. No man could sit down and draw a trespass law which should be so effectual as the game laws. In point of fact, the game laws constituted the very best trespass laws that could be devised. The consequence of simply repealing those laws would be to afford extra facilities for poaching, and not to advantage of tenants. The next proposal was of a somewhat similar character. It did not go to the length of proposing the entire repeal of the law. It simply proposed to take hares and rabbits from under the operation of the game law. For some reason, however, it did not appear to receive a great deal of attention, either in Parliament or in the country. He thought, indeed, the attention it received was less than it deserved from the honesty of purpose of its promoters.

The only effect of the change would be to relax the law against poachers so far as hares and rabbits were concerned, and the right of the tenant to kill these animals would be no further advanced than at present. By the law of Scotland the right of the landlord to kill hares and rabbits was not created by what were commonly known as the game laws—those laws were a mere code for the regulation of the rights given by the law of the land. The exclusive right of the landlord to kill hares and rabbits upon his estate was vested in him by the common law, and the right which he possessed gave him also the authority to prohibit any other person from killing hares and rabbits on his property. Therefore, if hares and rabbits were excluded from the game laws, it would not interfere in the least degree, so far as Scotland was concerned, with the inherent right which was now possessed by owners of property. Accordingly, if this proposal had been carried through Parliament, it would have left the tenants in the same position they now held, with this additional disadvantage—that their farms would be liable to be infested by poachers and other unauthorized persons in search of hares and rabbits, the search for which, under the existing law, rendered the person so searching liable to be prosecuted for trespass. Another proposition to which he (Mr. Loch) attached great importance had been suggested by some of the most influential bodies among the agriculturalists of Scotland. They proposed to give a joint right to kill hares and rabbits to the landlord and the tenant. Those gentlemen, however, thought that all arrangements of that kind would be liable to be defeated by means of contracts into which the tenants might be compelled to enter. They therefore proposed to provide that contracts under which tenants handed over their rights should be prohibited. When he (Mr. Loch) first came to consider this question, he confessed that he was somewhat startled by the proposal to limit the power of entering into private contracts, and he hesitated to give his approval to a scheme which would interfere with rights inherent in property; but being satisfied at length that there was no better proposal before the public, he had to consider whether there were no real grounds for divesting landlords and tenants, to a certain extent, of their power of freely contracting together in that respect. The first point to which his attention was directed was with regard to the quality of the right to game. There was no property in game conferred by the statute law of Scotland, the only right which existed being that to which he had referred as having been conferred by the common law—the right of proprietors to kill game upon their own property. As an illustration of the fact that there was no property in game, if a tenant found a man poaching upon his farm, he would be able to procure the poacher's punishment as a poacher, but he would have no right to deprive him of the game which he might have killed; and that that was the law was stated in the most explicit terms by the late Lord Advocate in the debate on his Motion for a Select Committee, in 1869. The Lord Advocate said that nothing could be done in the way of legislating on the game laws, without keeping clearly in mind that they were the creation of statutes and of statutes alone. There was then no property in game in Scotland, and therefore there could be no interference with the rights of property if Parliament stepped in and legislated on the subject. In fact, Parliament for centuries past had gone on dealing with game, and the regulations affecting it, in such a manner as to meet and suit the changing circumstances, interests, views, and feelings of succeeding generations, beginning with the Act of 1551, which imposed confiscation of property and death as a punishment for the killing of game, on the principle, as candidly stated, that the law was enacted for the protection of the sport and pastime of great lords and landowners, whose diversions must not be interfered with. But still there remained the difficulty with regard to contract. He need not remind the House that property was not enjoyed absolutely by anyone; but was held subject to various obligations and restrictions. No person, for instance, was entitled so to use his property as directly to damnify his neighbour. But with regard to contract, when he went into the question he was surprised to find the numerous cases in which the law had sanctioned interference with the right of contract out of regard to public interests. For instance, the Truck Act not only prohibited certain forms of payment of wages, but declared any contract for such payment "illegal, null, and void." The Factory and Workshops Act and the Nuisances Act both contained clauses interfering with the same right. The Attorneys and Solicitors Remuneration Act, passed last Session, made inoperative any contract entered into between attorney and client as to the amount and manner of payment for his services—at least so far that it required that the amount should not be paid until it had been allowed by the taxing officer. The Usury Laws—though no doubt they were now repealed through the progress of enlightenment—formerly made contracts for an usurious rate of interest void. Another Act, passed by the present Secretary of State for War, and known as Cardwell's Act, interfered with the right of carriers to make contracts of a certain description. The State also interfered to restrain a contract of the most delicate kind—he alluded to the marriage contract. Those contracts, it was true, had no direct reference to contracts in respect to the holding of land; but he could not hold that, looking at the abstract principle, any greater sanctity existed with regard to contracts relating to land than existed with regard to any other contracts of a commercial character. If Parliament was justified in interfering with regard to those relations of life to which he had referred, it would surely be equally justified in dealing with contracts relating to land. Now, in fact, Parliament passed last year a measure, some of the provisions of which were remarkably pertinent to the point—the Irish Land Act. He was aware that in referring to that Act he was taking a precedent to which many hon. Members on both sides of the House would object; but, nevertheless, it was passed by Parliament, and he had a right to refer to it. One of the principles of that Act was that there ought to be certain limitations put upon the power of contracting between landlords and tenants. Among the provisions of the measure were the following:—

> "Any contract made by a tenant, by virtue of which he is deprived of his right to make any claim which he would otherwise be entitled to make under this section, shall, so far as relates to such claim, be void, both at law and in equity."
>
> "Any contract between a landlord and a tenant, whereby the tenant is prohibited from making such improvements as may be required for the suitable occupation of his holding and its due cultivation, shall be void, both at law and in equity."

> "Any contract made by a tenant, by virtue of which he is deprived of his right to make any claim which he would otherwise be entitled to make under this section shall, so far as relates to such claim, be void, both at law and in equity."

Thus they had in a Bill passed only last year on a most momentous subject, a direct sanction for the principle he was now contending for. But more important than the Bill itself he held to be the expressions of opinion by great Ministers and eminent lawyers. [The hon. Member proceeded to read passages from the speeches of Mr. Gladstone and Sir Roundell Palmer in the House of Commons, and of Earl Granville and the Lord Chancellor in the House of Lords.] Therefore, in all relations, and under all circumstances, Parliament had thought it right to interfere in certain cases, with the view of preventing contracts being entered into, if the entering into such contracts would, in their opinion, be an interference with public policy. Having got so far, he thought that if he could bring home this principle, so as to show that it was expedient to apply it to the case of the over-preservation of game, he should be justified in proposing to Parliament a measure which was founded upon giving a joint right to tenants with their landlords, and binding both parties against contracting away that right. He would ask—Were the bargains between landlords and tenants equal even in Scotland, where the status of the tenant was high, and the intelligence of the tenants was as great as in any other part of the country? He said distinctly that the contracts were not made upon equal terms; that the tenant was never asked whether the game clauses should be admitted into his lease; that it was assumed he would agree with them, for the reason that if he were to hesitate for a moment, the negotiations would come to an end. A contract presupposed some equality and reciprocity of conditions between the contracting parties; all sorts of unforeseen circumstances might arise to prevent the carrying out of a contract originally based on a perfcetly good understanding between parties, but in which certain points were rather understood than expressed. An estate might change hands; a new agent might be appointed; or one of a number of things might happen—so that a tenant might find himself, in the course of a very few years, in a position altogether different from that in which he stood at the commencement of his contract. It might be said that the tenant had his remedy; but that remedy consisted in the issue of a trial at law, and nothing could be more hateful or detrimental to a tenant than to be placed in legal antagonism to his landlord. It might be said, indeed, had been said, that a tenant possessed the right to refuse to enter into those contracts; but that was a choice involving consequences, in case of refusal, which the tenant would not, and in many cases dared not, accept. There was therefore no equality of contract between landlord and tenant, especially in reference to the game clauses in the leases, those being the clauses upon which the landlord was usually and naturally most determined, and on which the tenants had less to say than on some of the other conditions. What was, after all, the value and the nature of the contract into which many of these men entered? He thought that not half-a-dozen Members in that House, except representatives of Scotch constituencies, were aware of the onerous terms proposed in the farm leases of Scotland upon tenants. Such a lease from Ayrshire, for instance, reserved

> "the whole of the game, hares, and fishings of every description, with the exclusive privilege of fowling, hunting, sporting, and fishing on the lands hereby let by himself, or others having authority in writing from him or his aforesaids, the tenant having no claim for any damage that may be occasioned by or through the exercise of the privilege abovementioned, and being bound to preserve the game, hares, and fishings on the lands to this extent that he shall not himself disturb, or destroy, or allow his servants or others to disturb or destroy the same; but shall inform the proprietor of all persons who shall fowl, hunt, sport or fish on the said lands without liberty, so that such persons may be prosecuted according to law; and, if necessary, allow prosecution to be instituted in his name, either separately or jointly with that of the proprietor, for all trespass on the said lands, the proprietor guaranteeing him against any expense that may be incurred thereby."

[The hon. Member also read articles from leases from Fifeshire, Invernesshire, Berwick, and Aberdeen, containing reservations of game, accompanied by restrictions on the tenants of equal severity.] It was hardly possible to conceive anything more shameful than that contracts of such a kind should be permitted by law to exist between landlords and tenants. They were examples of a state of things which would not only permit, but which called for interference with reference to the making of contracts. It was a state of things which militated against the public advantage in a great variety of ways, and its operation was so unfair with regard to the tenant class, as to justify him in saying that not only ought the tenant to have the right to protect himself hereafter by killing the game upon his farm, but that it should not be competent for him to enter into any contracts or arrangements with his landlord by which he should be deprived, or deprive himself, of that right. He would not add much to what he had already said, except that the Bill which he had submitted to the House provided merely and solely for the objects he had stated. If it should ever reach Committee, it would then become desirable to consider clauses *seriatim*, and possibly to make such improvements as might suggest themselves. As it stood, the Bill proposed to confer upon the tenants, jointly with their landlords, the power to kill ground game, with a clause to prevent the tenants depriving themselves of the rights so conferred. There would be no necessity for either parties exercising the powers proposed to be given by the Bill in an objectionable manner. All he wished was that in every change of circumstances relating to the ownership or letting of farms, the tenants—in case they were injured by such change of circumstances—should have the power of remedying their grievance, and protecting themselves from wrong. He assured the House he had only brought the Bill forward from a deep conviction of the serious necessity of the question with which it proposed to deal—a question which affected social arrangements no less than economical considerations. He would now conclude by moving the second reading.

SIR ROBERT ANSTRUTHER seconded the Motion.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Loch.*)

MR. P. A. TAYLOR: I shall trouble the House but for a few moments while I give my reasons, or I would rather say my excuses for supporting the Bill brought forward by my hon. Friend. As the House is aware, I have strong opinions in regard to the game laws; they are, to my mind, an absolute anachronism; most injurious to the country at large; damaging and insulting to the agricultural community; and tending directly to the wholesale demoralization of the people. That being so, it can hardly be satisfactory to me, or to those who vote with me, to support a Bill that does nothing, as one may say, but touch the fringe of the question, and which for any real amendment of the system I believe to be altogether feeble and inefficient. The hon. Gentleman (Mr. Loch) said he should discuss the Bill as one of mere dry business, which he described as the only light in which it should be considered; but when we know from our judicial statistics that upwards of 10,000 of our fellow-countrymen are now annually tempted into poaching, I cannot feel that the subject is adequately described as one of dry business; and I noticed that my hon. Friend himself recognized this when in noticing the speech of the hon. Member for Dorsetshire (Mr. Sturt) he endorsed his opinion that the convictions for poaching in this country inspired him with alarm, and were a disgrace to the community. I observe, too, that my hon. Friend, in criticizing what I may well call the anti-game law speech of the hon. Member, went far outside the narrow limits of his own Bill, and uttered sentiments in perfect harmony with the views I have expressed in favour of abolition of these laws. The hon. Member for Dorset had said that practically the game laws were not in existence on his estate, so good was the understanding between himself and the farmers and labourers about him; he did not allow the crops to be eaten up by ground game, and they, for their part, had no desire to interfere with his reasonable sport. Upon this my hon. Friend exclaimed—"Where, then, is the need of game laws at all?" I must say I thought I never heard better thunder in my life, but I must take leave to tell my hon. Friend that I claim that as my thunder. Perhaps the best reason I can give for supporting the second reading of the Bill is that its provisions are so entirely small, and it would not stop any more thorough measure—of course I mean my own—from passing even this very Session. My hon. Friend expressed his opinion that his measure had received the unanimous approval of the farmers of Scotland. I confess I heard that statement with astonishment. From communications which I have had from farmers, and from reading some of their organs of the Press, I have no hesitation in saying that my hon. Friend, in describing their adherence to his measure as unanimous, was led into a great exaggeration. Why, it was only the other day that I received a copy of a Caithness paper giving an account of a meeting of the Caithness Agricultural Association, in which Mr. Purves, a tenant-farmer, came down, as it seemed, like a clap of thunder, upon the meeting —which was not intended for a discussion of the game laws—and taking advantage of some casual pro-game law remarks on the part of the chairman, declared that, for his part, he considered that there was no use saying one thing and doing another, or endeavouring at agricultural meetings to blind people by clap-trap as to the real position of matters, and that of the various Bills under consideration, he had no hesitation in saying that nothing would do but total abolition. Still I am aware that the hon. Gentleman (Mr. Loch) has persuaded—or shall I say misled—a certain proportion of tenant-farmers to imagine that his Bill would give considerable relief, and it would have an appearance at least of being ungracious and unkind if one opposed a Bill, honestly intended to go in the right direction, because one was in favour of a more complete scheme. There is, however, one portion of the Bill to which I can give my unqualified adhesion, and that is the transference of jurisdiction from the justices of the peace to the sheriff. I need hardly say that in my opinion, anything which takes the administration of the law out of the hands of the unpaid magistracy, is a great advantage to the community. It is on these grounds that I shall give my uncordial support to the Bill.

Sir JAMES ELPHINSTONE said, he objected to this Bill, because it was perfectly impracticable, and because there were in it clauses which were entirely opposed to fair transactions and fair equality between man and man. He looked upon an agreement between a landlord and tenant as a binding covenant, entered into between two persons, each upon considerations of his own interest. It was now sought to set aside this covenant for the benefit of one of the parties. Such an interference with the rights of private contract, by an act of the Legislature, should have his most strenuous opposition. He had described a clause in the Bill of last year as a profligate clause—he thought this clause just as profligate. It was quite a mistake to suppose the tenant had no remedy for any oppressive act of the landlord in respect of the game. Only last year the Court of Session had determined a case in which the tenant obtained damages against his landlord for having inconsiderately increased the game on his farm. Did they suppose the tenants in Scotland were such slaves that they dared not appear against their landlord? They were among the most intelligent and best educated men in Europe, and he could not believe such an assertion. This Bill was a sham and a delusion, due to an agitation which had been got up in that House. He should oppose this Bill in every way he possibly could, and he should do this the more readily because the Lord Advocate intended to introduce his Bill next Thursday. He believed that Bill proposed to deal in a fair way between man and man on this question; and now that the people of Scotland had got it before them, they were beginning to think better of the agitation. There was already a split in the camp. That being so, he thought the Lord Advocate would have a fair chance to pass his Bill. He would, therefore, recommend his hon. Friend (Mr. Loch) to withdraw his Bill, and to allow the right hon. Gentleman, who had the authority of Government, to bring in his measure—because they might depend upon it that no private Member would ever be able to compete with a Government Bill on the game laws in that House. When he was a young man he remembered the late Duke of Gordon told him he never remembered a young Scotch Member who did not bring in a Salmon Bill. It was the mode he had of introducing himself to that House. The Scotch Members, it seemed, now adopted Game Bills for the same purpose.

Mr. M'COMBIE said, he should vote for the Bill of the hon. Gentleman (Mr. Loch), but only as an instalment in the right direction. It must be distinctly understood he would only accept total abolition as a final settlement of the question. That was the determination of himself and of all the tenant-farmers of Aberdeenshire. The tenant-farmers of that county—the largest cattle-breeding and cattle-feeding county in Britain—had sent him there to speak for them. They did not ask to have a duty on foreign corn; they did not ask for restriction on the importation of foreign cattle free of disease — his constituents, the tenant-farmers of Scotland, feared no competition provided they would only preserve their crops from being destroyed by game, and relieve them of the law of hypothec and the malt tax. They asked for relief from these grievances that they might be able to compete successfully with the foreigner with their cattle and corn. They trusted the Government would give them their support; but he feared they need not expect much assistance from the right hon. Gentleman the Chancellor of the Exchequer, either against the game laws or any other grievance. The tenant-farmers of Scotland would never forgive him for three or four things—the imposition of the tax on shepherds' dogs; the tax on farm horses let out for hire for the improvement of our roads; the gun tax; and charging duty on a farm servant if he should take the saddle from his horse only once in a year; and he took that opportunity of informing the right hon. Gentleman that he was the most unpopular man in England with the tenant-farmers of Scotland, and that he had done the Government a great deal of harm. But the question now before the House was the protection of the crops from game; and in this, as he said before, he trusted the Liberal Government would give them their support.

Mr. C. S. PARKER said, the House had heard with evident interest the hon. Member for Aberdeenshire, who was entitled, if anybody was, to speak for the tenant-farmers of Scotland. Like his hon. Friend the mover of this Bill (Mr. Loch), he must ask the indulgence of the House, because though this was the third time his name had been on the back of the Bill, it was the first time that he had had the opportunity of speaking on it. The Bill was for Scotland alone, and was directed solely to putting down over-preservation of ground game; and that he thought it was universally admitted was a grievance that required a remedy. The only difference in opinion was that some thought the grievance very serious, while others thought it comparatively small. For himself, he was one of those who thought it a serious grievance. First, as regarded the destruction of food. He did not know that he quite believed in the large calculations of the hon. Member for Leicester (Mr. P. A. Taylor) last year; but there could be no doubt that there was a great consumption of food by hares and rabbits. But he (Mr. Parker) wished to draw the attention of the House to another thing—namely, that the principal objection was not to what hares and rabbits eat, but to what they destroy and spoil. Before the Committee of 1846, Mr. Pusey said—

> "It has been often asked how many hares were equivalent to one sheep upon a farm, but that appears to me to be a perfectly unjust view of the question. If you had a score of hares folded like a score of sheep on any part of the farm they would eat all they could find, and it would be but a small loss; but the question is what the loss would be if the sheep were allowed to wander over the whole farm to help themselves where they pleased."

The loss, therefore, from the preservation of ground game was very considerable, and was aggravated by the modern system of farming, which rendered the crops more liable to injury. Over-preservation of hares and rabbits was incompatible with high farming. No wonder then that in Scotland it created irritation between the landlords and tenants. The Lord Advocate said it was a question of rent and bargain only. But it was difficult to estimate beforehand the amount of damage done by game on a farm—it differed from year to year, and from season to season. In England, where the tenure was usually from year to year, this was less difficult of adjustment; but in Scotland, where the tenure was generally a 19 years' lease, it was different. His next objection was that this large breeding of game encouraged poaching, which, in a county magistrate's point of view, was almost worse than theft, but it might rather be regarded as the half-way house to thieving; indeed, it was more than half-way, because the honest man, with an inherent love of sport, would go out on what he considered an innocent poaching expedition, and would get more and more into the habit until he was really little better than a thief. At the same time, public opinion would not support the law in dealing with him as a thief. That was the difficulty in the way of making game property. Public opinion would abide by the present doctrine of the law, that there can be no property in animals wild by nature; and instead of regarding poaching in the light of thieving, the farmer is likely to look upon the poacher who did not break down his fences with leniency, if not with considerable favour. ["No, no!"] Many hon. Members thought a legislative remedy was not required. No doubt many landlords—of whom the hon. Member for Berwickshire (Mr. Robertson) was a good type—so dealt with their tenants that this question of ground game was kept quiet; and of late there had been more of this considerate conduct in consequence of the agitation which had arisen. No doubt, if such conduct should become universal, there would be no need for legislative remedy. But it was not so. A minority continued to push their rights as landlords to extremes, and thereby do practical injustice to tenant-farmers. This injustice must be stopped; and indeed the number of Bills on the game laws which had been presented to the House showed that the public opinion was that a legislative remedy was required. He would divide those Bills into two classes. There were those which permit the number of hares and rabbits to remain as at present, but provide compensation for the damage sustained; and there were those which put an end to the damage, instead of giving compensation. To the former class belonged the measure of the Government, the Lord Advocate being still of the same opinion as he was in a former year. But supposing that measure passed, and granting even that it would be efficient, still it would not diminish the wanton destruction of food, nor even the temptations to crime; all it would do would be to afford the tenant compensation for damage done. Moreover, what prospect was there of the measure being efficient, if it placed no limit on oppressive contracts? Let the remedy in the Act be ever so good, if the lease might forbid recourse to that remedy, would not the intention of the Act be defeated by the contract? To pass to the other class of legislative remedies, there was first the extreme measure of the hon. Member for Leicester (Mr. P. A. Taylor), who proposed to take away absolutely all artificial protection of wild animals by law. Next came the hon. Member for Linlithgow (Mr. M'Lagan), who proposed not to sweep away the whole of the present legal provisions, but only so far as they protect rabbits and hares. According to that scheme, the public came on the land, subject to the ordinary laws of trespass, and might beat down the number of hares and rabbits to such an extent as to get rid of the grievance. Now, he did not think that tenant-farmers preferred to have that done by trespassers—they would much rather see the game which destroyed their crops diminished by the landlords, or still better by themselves. But supposing this Bill, or supposing even the Bill of the hon. Member for Leicester (Mr. P. A. Taylor) became law, repealing artificial protection, the contracts would remain the same, and the anomalous position of the tenants would be very unsatisfactory; the farmer being bound by his contract not to touch hares on his own farm, while the public would be free to take them, subject only to the ordinary law of trespass. It was the consideration of these alternatives which had induced the hon. and learned Member for Wick (Mr. Loch) to introduce a measure which contained the somewhat startling provision for the prohibition of all contracts of the character indicated. Three objections had been urged against this innovation in Scottish law and practice. The first was that brought against it on the ground that it was immoral and profligate. This, however, he thought was owing to a misconception, and arose from an error in the original draft of the Bill. This had been remedied, and the Bill, as it now stood, did not propose in any way to touch existing contracts, except by equitable arbitration, and only prohibited contracts of the description referred to in the future. Next, it had been said that the course proposed was unprecedented, and thirdly, that the Bill would be evaded. Evaded he did not think it could be, unless the tenant chose to evade it. And his hon. Friend the Member for Wick had shown that it was not unprecedented. He had quoted from the statute book clauses precisely similar in character from the Irish Land Act, and the Truck Act. From the latter Act his hon. Friend read the clause making contracts for the payment of wages other than in the current coin illegal, null and void; and he (Mr. Parker) would remind the House that the recent inquiries into the truck system pointed towards renewed approval of that interference with contract; and he would ask why, on a like principle, should not the Legislature extend to oppressive contracts between landlord and tenant, in respect of game, the same illegality which they attributed to such contracts of employer and workmen in respect of wages? That point, however, could be further dealt with in Committee. The principle of the Bill was that they should endeavour to deal with this question by legislation; and it applied to ground game, and did not touch winged game. There was another principle in which it agreed with the Bill of the Government, which would propose, he believed, to transfer the right over ground game from the landlord to the tenant, who however was intended to transfer it back again in the lease. The point where difference began between the Bills was the interference with contract; and that was a question which would have to be considered when they had the alternative presented by the Government. For the present, inasmuchas this Bill recognized the substantial grievances of tenant-farmers and dealt with them by transferring power over the ground game to the tenant, he trusted that the Government would show themselves in earnest by assenting to the second reading. If they would do this, he was prepared to say that the future stages would not be pressed forward in an inconvenient manner.

SIR EDWARD COLEBROOKE said, that there was so much in the Bill of what he approved that it was with some reluctance he rose to state why he opposed this legislation. He took exception especially to the statement of his hon. Friend (Mr. Loch) regarding the great unanimity, the universal approval with which his Bill had been received in Scotland. [MR. LOCH said he had not gone as far as that; what he said was that it had received almost universal assent.] On the contrary, from indications he (Sir Edward Colebrooke) had witnessed among his own constituents, and from communications he had received, and from what he had himself read in the newspapers, the general opinion seemed to be that this was a Bill which, interfering with contract, was one which should not be sanctioned by the Legislature, unless there was no other mode of remedying the grievances complained of. Now, speaking for his own district, the grievances were exceptional, and did not call for the extreme remedies which the hon. Member for Wick (Mr. Loch) proposed. Now, with regard to the stringency of the clauses respecting game in leases, such as those the hon. Gentleman had read, the reason why they were so readily signed by the intended tenant was very well known—it was because the tenant knew that however stringent they might be in words, so as to preserve to the landlord all his rights—that the game would not, in fact, be preserved so rigidly as would interfere with the crops, be injurious to cultivation or in any degree vexatious to himself. Admitting all this, he was nevertheless bound to admit that there was a substantial grievance, that the tenant-farmer had a right to complain, and that they ought to apply a remedy. One of these was one which his hon. Friend had pointed out. Circumstances might change; his landlord might change; and the tenant might find himself in a position in which he might be cruelly used. It was a matter for the fair consideration of the Legislature, and it was one with which the Legislature should deal. But then came a very formidable difficulty—that of defining what was excessive preservation, and what was the remedy, and how to apply it. But such a difficulty ought not to discourage his hon. and learned Friend (the Lord Advocate). If he dealt with the subject boldly, as he had done last Session, it was probable he would carry both sides of the House with him, because he would give effect to the opinions entertained by many hon. Members, and secure the goodwill of both sides of the House. He believed there was a great evil in the preservation of hares and rabbits; but it could be modified by wise legislation, though not of the character proposed by the hon. Member for Wick. His hon. Friend said that the great evil of the game laws was that they tended to encourage bad relations between landlords and tenants. But the leading provision of his own measure was so startling, inasmuch as it interfered with freedom of contract, that it could not be justified except on stronger grounds than any he had advanced. His hon. Friend had cited the case of Ireland in connection with the Land Bill, as an analogous case. He (Sir Edward Colebrooke) understood, however, that that Act was passed with reference to the peculiar condition of Ireland; and he was quite confident that had it been understood at the time that it was to form a precedent which might be applied to all cases throughout the length and breadth of the land, that Bill would never have been passed. Ireland had peculiarities which made the legislation recently provided for her necessary; but it did not follow that such legislation was applicable to other parts of the United Kingdom. The farmers in Scotland were an independent body, and were quite capable of making a bargain for themselves; and they might depend upon it that this question of the preservation of game was not likely to be overlooked. The presumption was that it was not passed over when they were signing their leases. Beyond this, he said, and he felt strongly upon the point, that that Bill, instead of improving, would embitter the relations between landlord and tenant, and that, so far from promoting it, would discourage that cultivation which was the honour and glory of Scotland. If it were only on the ground of its interference with the freedom of contract, it was equally desired on both sides of the House to get rid of it. The very Bill of the hon. Member for Linlithgow was preferable.

Mr. C. DALRYMPLE desired to say a few words as one who never suffered politically from the game question, and never profited by agitation on the subject. He did not wonder that his hon. Friend the Member for Perthshire (Mr. Parker) had spoken warmly on this subject, for it was to this question more than to anything else, that he owed his seat in the House. He therefore did not blame his hon. Friend for his warmth, and it was worthy of notice that his hon. Friend had never promoted agitation about the game question; while he had never failed, when occasion arose, to press it on the attention of the Government, which was more than could be said for others who had equally profited by the agitation. For himself he was heartily desirous of having any grievances—and there was a grievance—from which tenant-farmers might suffer, removed; but unfortunately there were not a few persons in Scotland who would not be satisfied with moderate legislation, because it would take out of the way a fruitful source of agitation, especially at the elections. The grievance was, in his opinion, confined to a few districts of the country; and a few of the large proprietors were responsible for the state of things. He would like to ask the hon. Member for Perthshire what he meant by saying that farmers looked with favour upon poachers who relieve them from superabundant game? For every such farmer as his hon. Friend could produce, he (Mr. Dalrymple) was confident he could produce a dozen or 20 who would look with far more favour on the sport of their landlord and his friends, even although they might have suffered some damage from game. Really his hon. Friend must not so misquote the farmers of Scotland in that way. He entirely agreed with the hon. Baronet who had just sat down that there was nothing like a universal approval by the farmers of the Bill of the hon. Member for the Wick Burghs. He should be sorry to tell the hon. and learned Member for Wick the expressions he had heard used towards him and his Bill; and it was not to be supposed that many of the tenant-farmers of Scotland wished to repudiate contracts into which they had entered with their eyes open. He wished, in passing, to point out the very remarkable circumstance that deer were omitted from all mention in the Bill. He commended that to the notice of the hon. Member for Wick, and hoped the hon. and learned Gentleman would explain the omission. He did not think the reason was far to seek; but so vigorous a game law reformer ought surely to have made some mention of deer, for it could not be denied that deer committed a great amount of damage on cultivated land. He merely threw out the suggestion that the hon. and learned Gentleman might have the opportunity of considering it in Committee—if, indeed, the Bill should ever reach that stage. The word "profligate," which was used by the hon. Baronet (Sir James Elphinstone), was not contained in his (Mr. Dalrymple's) vocabulary; but he did say that the proposition of his hon. and learned Friend was of a very serious character. He appeared to glory in the interference with the rights of contract which he contemplated in his Bill. They had had the Truck Act quoted, and the Irish Land Act was now to be cast up to them, and that was exactly what he (Mr. Dalrymple) expected. They were told last Session that the Land Bill, which was admitted to initiate some extraordinary principles, was applicable to Ireland only; but he (Mr. Dalrymple) never doubted that it would soon be thought applicable to other parts of the kingdom. He was, however, most of all surprised at one instance of interference with the rights of contract which the hon. Member quoted, in regard to marriage with a sister-in-law. The hon. Member would, he supposed, vote that day against this interference (for the Bill was one of the Orders for the Day), and it was strange that he should quote the law as a justification of another interference which his Game Bill contemplated. He protested against the view of the hon. Member for Wick that Scotch farmers entered into contracts either in ignorance or carelessness as to the terms of their leases. That certainly was not the case in the Lothians, where he had the good fortune to hold some property. He knew very well that there the tenants went very carefully through the clauses of their leases. The reservations as to game were accepted as a matter of course, and nobody would be more surprised than the tenants themselves, if they were told that they were to be set free from this part of their leases. The game question was not a subject on which he felt strongly; but his indignation was sometimes roused at the tone adopted by some law reformers, for they often misrepresented the feeling of the farmers of Scotland, who, though they might have a sense of irritation, would be sorry to see such a Bill as that of the hon. Member for Leicester pass into law. He should be quite satisfied if the question, as a whole, were left in the hands of the Lord Advocate. In the course of the winter the right hon. Gentleman made a most remarkable speech in Edinburgh; in fact, he thought the speech was somewhat too Conservative. It would be a matter of astonishment if, as rumour had it, the right hon. Gentleman consented to the second reading of this Bill. Possibly he might do so, with the intention of referring it to a Select Committee; but, by assenting to the second reading, he would give his assent to a new interference with the law of contract, and directly in the teeth of his own speech during the winter.

Mr. M'LAGAN said, he must express his regret that when any discussion took place on the subject of the amendment of the Scotch game laws, the discussion always seemed to have a tendency to degenerate into personalities. He was afraid he must himself come under the class of Members to whom the hon. and gallant Member for Portsmouth (Sir James Elphinstone) had referred, for he had himself set the ball rolling by the Bill which he introduced into the House some years ago; but he could assure his hon. and gallant Friend that no man could be more sincere than he in trying to get the game laws of Scotland amended. This Bill was called "the Game Laws (Scotland) Amendment Bill;" but three-fourths of the lengthened and laboured speech of the hon. Member for Wick was taken up in proving that they had as much right to interfere with contracts in regard to game as they had to interfere with the truck system, and other matters of that kind. The truth was, that instead of being "the Game Laws (Scotland) Amendment Bill," this Bill should be called the Land Contracts Amendment Bill. There was very little change in the game laws involved in this Bill. The principle of the Bill was that of interference with contracts about land. The hon. and learned Member might just as well have introduced a Bill prohibiting contracts for the growing of potatoes, turnips, or anything else raised on the land, as a Bill prohibiting in the manner that he proposed to do, the raising of hares and rabbits. He should like to draw attention to the Preamble of the Bill, for he questioned very much whether many hon. Members had read the Preamble. It said—

> "Whereas, in various parts of Scotland, serious evils have arisen from an excessive increase in the numbers of hares and rabbits, which has been encouraged or permitted to take place in the midst of cultivated districts; and it is expedient that the game laws be amended with a view to the removal of these evils."

What evils? The evils caused by an excessive increase in the number of hares and rabbits in the midst of cultivated districts. Were they, then, to understand that this Bill was to apply only to the cultivated districts? Were those extensive moors of Scotland, where hares and rabbits "accumulate and men decay," to be left entirely out of sight. In the Preamble they were left out. The hon. and learned Member for Wick stated that there was a general and almost universal approval of his Bill in Scotland. Now, six months ago he (Mr. M'Lagan) had taken the trouble of issuing circulars to the agricultural societies of Scotland, with the view of obtaining information on that point. He issued about 50 circulars, and received about 20 replies, and one only of those replies approved entirely of the principle of this Bill. The greater number of the persons who replied were in favour of striking hares and rabbits out of the game list, and then making contracts illegal. The hon. and learned Member for Wick quoted to-day largely from a nobleman who at one time farmed about 2,000 acres of land in England, who began cultivating as a great game preserver, and who found by experience that extensive game preserving was quite incompatible with good cultivation. Now, Lord Hatherton's evidence was altogether in favour of striking out hares and rabbits from the class of game, and that was the principle of the Bill he had introduced two years ago. He was glad that the hon. and learned Member was such an admirer of Lord Hatherton, and he was glad to be able to quote his Lordship in favour of the change which he advocated. If this Bill were passed, it would, in his opinion, prove perfectly useless. It would not be worth the paper on which it was printed. What did they in Scotland want? They wanted a diminution of the number of hares and rabbits. This Bill proposed to interfere with game contracts—that was, to prohibit a landlord from entering into any agreement with his tenant in reference to game. But how was this object to be accomplished? They would find that this Bill left open a back-door, by means of which the tenant would be enabled to enter into an agreement with any other person than his landlord. The Bill divested the landlord of the privilege of entering into a contract with the tenant, but it left the tenant at liberty to contract with any other party. Now, what would be the result of this? Suppose a farm to be offered on lease, and a person to be willing to take it—what would the landlord do? Before entering into any contract with a tenant, he would insist upon the tenant divesting himself of his right of killing hares and rabbits in favour of his butler or factor; and afterwards the butler or factor could assign the right back to him. So that matters would be in exactly the same state as before. Now, he had heard an agument in favour of this Bill which struck him as being very remarkable. There was a tenant-farmer who was strongly in favour of this Bill. He got up at a meeting of tenant-farmers, and said that he objected to the Bill introduced by Mr. M'Lagan, because it would reduce the number of hares and rabbits too much; but he would support the Bill of the hon. and learned Member for Wick, because he was very fond of sporting, and he wanted to have plenty to shoot. What was the use of our passing the Bill which would have no effect? The Bill would fail in its object and introduce a worse state of things than now existed.

MR. FORDYCE said, that as Aberdeenshire had been referred to more than once during that discussion, he desired to say a few words. His constituents took a keen and lively interest in everything relating to the game grievance and game law reform, not because he was one of those noisy agitators alluded to by the hon. and gallant Member for Portsmouth (Sir James Elphinstone), but because, unfortunately, there existed a curse of hares and rabbits under which the tenant-farmers of Scotland groaned. He should support the present Bill; but, at the same time, he doubted whether his hon. Friends were advancing the cause of game law reform by again introducing their rival schemes during the present Session. He thought such a measure, introduced by private Members, had small chance of success; in his humble opinion, the time had come to throw the whole responsibility on Government. Circumstances had changed since these two Bills were last introduced. During last year the Scottish Chamber of Agriculture, which represented the views of Scotch farmers generally, had held a meeting to discuss the game grievance, and its proper remedies. The hon. Member for Wick thought it so important that he took the trouble to come all the way from London and make a long speech in defence of this Bill; and the hon. Member for Linlithgow (Mr. M'Lagan) delivered another long speech in favour of his scheme. The result of the discussion was that the Chamber of Agriculture recommended the amalgamation of those Bills—a resolution which had been quite disregarded by the two hon. Members who were present. There were three reasons why Government should take the subject in hand — first, because only a strong Government could carry a satisfactory measure; secondly, because they had now got an authoritative declaration of what was wanted by the Scotch farmers. There was another consideration to the force of which, as a county Member, he could not be insensible, and that was that the Scotch farmers had discovered that the Government was so strong that they did not care to pay attention to their claims, and they were likely to try the other side at the next election. If this Government would do nothing, he hoped the right hon. and learned Member for the Glasgow and Aberdeen Universities (Mr. Gordon), who, when he was Lord Advocate, did so much for Scotland, would introduce the Bill of the Chamber of Agriculture; and if he did he was sure he would be well supported on both sides of the House.

SIR GRAHAM MONTGOMERY was understood to oppose the Bill, on the ground that the principle of interference with the right of contract was most objectionable. He hoped it was not true, as was reported, that the Government were about to support that Bill—especially as they were about to bring in a measure on the subject themselves.

SIR ROBERT ANSTRUTHER rose to protest against the application of the word "profligate" by the hon. Member for Portsmouth (Sir James Elphinstone) to a clause of this Bill. [SIR JAMES ELPHINSTONE: It is quite Parliamentary.] He did not dispute that; but was sure a majority of the House would agree with him in objecting to the use of the word in reference to the clause limiting contracts. He could not understand the fear which was manifested in all parts of the House of dealing with contracts between landlord and tenant. There was nothing peculiar in such contracts to distinguish them from contracts between master and servant. It was amusing to hear hon. Members on that side of the House, who voted for the Irish Land Bill last year, now turn round and attempt to show that they intended the operation of that Bill to be confined to Ireland. He repudiated such a doctrine. The principle of the Irish Land Bill was either sound or unsound. If it was unsound, then the hon. Members near him ought to have voted against it. If, however, the principle of limitation of contract was right, why should it not be extended to Scotland? The law of hypothec gave such great powers to landlords in Scotland that they could put whatever clauses they liked with regard to game into the leases which they granted to tenant-farmers, and the latter had no chance of making a fair bargain.

Mr. DYCE NICOL said, that he thought nothing could show the increasing gravity of this question more strikingly than the great change of opinion which had recently taken place among a large portion of the landed proprietors of Scotland, and among those particularly who were formerly opposed to any concessions; and this was evinced at several of the county meetings of last year, when it was stated that the measure introduced by the hon. Member for Linlithgowshire (Mr. M'Lagan), of omitting hares and rabbits from the game laws, was inadequate to meet the grievance arising from ground game, and that almost any sacrifice would be made to attain the settlement of a question which was every year assuming a more serious aspect, as destroying all that sympathy and good feeling between landlord and tenant which was essential to the interests of both. He said that this was not exclusively a tenant-farmer's grievance, as he held that any landowner who desired to turn his estate to the best account suffered, as the law now stood as to hares and rabbits, when any of his neighbours were disposed to over-preserve them. No doubt the strongest repugnance was felt as to any interference with the freedom of contract; but he could not shut his eyes to the difficulty experienced by their enterprizing and industrious tenantry in Scotland in getting farms, except subject to a contract which was injurious to them, which necessitated a wilful and wanton waste of the soil; and any law which enabled a landlord to exercise his privileges oppressively was inconsistent with public policy, and could not, in the face of household suffrage, be long maintained. He hoped the House would allow him to read a few words from a speech of a landed proprietor who held an office under the late Government, and whose political opinions would on any subject be considered sound by Gentlemen opposite except on this question, on which he had recently been obliged to change his opinion on retiring to his estate. So intolerable had the agitation become, that at a late county meeting he said—

> "It is not possible to settle the game question and remove from between landlord and tenant those unkindly and dangerous feelings which may bring forth most dangerous fruits, without a declaration on the part of Parliament that, in regard to ground game, the right must be given to the landlord and tenant—I mean that either of them shall be entitled to kill the ground game on his farm; in fact, that the ground game shall be, in the language of the old Roman law phrase, *extra commercia*—that is to say, that it shall no longer be a lawful matter for bargain, and that a tenant shall be entitled to kill such ground game."

That was the opinion of a gentleman brought up to the legal profession; and he trusted that the Lord Advocate would be able to get over the difficulty which he desired to make out as to drawing a distinction in law between winged and ground game, for it was only in regard to the latter that remedial measures were at present urged. He was satisfied that nothing short of protection under statute for such loss and nuisance would be accepted by the tenant-farmers, and a large portion of the landowners of Scotland.

Mr. KINNAIRD said, he concurred with his hon. Friend the Member for Aberdeenshire (Mr. Fordyce) in the observations he had just addressed to the House, in thinking that the responsibility of effecting a radical reform in the game laws ought to be thrown upon the Government, who alone had the power of adequately and satisfactorily dealing with the question. He considered that Scotland had been rather harshly dealt with by the Government, for they had imposed a tax upon all guns even when used for the protection of growing crops, and also upon horses used simply for agricultural purposes; and last, though not least, upon the shepherds' collie dogs, which were of prime necessity. The least, therefore, that they had a right to expect from the Government was a thorough and effective protection for agriculturists against over-preservation of game in general. The hon. Member for Portsmouth had said that the agitation against the game laws was a dishonest agitation kept up by worthless agitators. He appealed to the result of the last Perthshire election in disproof of such an unwarrantable assertion, and were this not sufficient, he would recommend him to confer with his Friend (Sir William Stirling-Maxwell) on the matter, and to inquire of him whether the electors of Perthshire deserved to be thus designated by him.

THE LORD ADVOCATE, said, that speaking on behalf of the Government, he acknowledged the importance of the subject with which this Bill professed to deal. It had been a subject of much interest out-of-doors, causing a good deal of agitation, and he might almost say of excitement: and the interest which had been felt in it for years had been shown by the introduction of a variety of measures proposed by several hon. Gentlemen. The variety of opinions as to the remedies to be applied to the alleged grievances was strikingly manifested among the tenant-farmers themselves. Her Majesty's Government showed last Session their opinion that the subject was one which might be, and ought to be, dealt with by the Legislature, by proposing a measure dealing with it; and on behalf of the Government, he had given Notice of the introduction of a measure this Session which he hoped to have the opportunity of submitting to the House to-morrow. Had that measure been before the House now, he should, in all probability, have taken the course of actively opposing the second reading of the Bill of the hon. and learned Member for Wick; but under the existing circumstances, considering the importance of the question, the interest that had been manifested on the subject in Scotland, and the variety of opinions that had been expressed, he should refrain from offering any opposition at the present stage. But he assured his hon. Friend the Member for Bute (Mr. C. Dalrymple) that his opinions on what had been called—not altogether accurately according to his view of it, the game question, were altogether unchanged; and that being the case, he was necessarily opposed, and opposed in principle, to what appeared to him to be the most prominent and characteristic feature of the present Bill. He would characterize the leading clause in it as a clause disabling men of great intelligence, men perfectly able to conduct their own affairs, and to manage business of great importance, from entering into such contracts with their landlords as they pleased. As he was not now offering opposition to the second reading of this Bill, he would not enter into any criticism of its provisions; but he would say —while admitting the competency of Parliament to place restraints upon the freedom of contract—he was not satisfied that the case in question—that of landlords letting their farms, and of tenants taking them — was a case in which the Legislature was called upon to interfere. The case was not analogous to the case of the Truck Act. The object of the Truck Act was the public object of preventing workmen being defrauded by the power of the employers; and the other cases referred to were all cases in which the Legislature interfered for the public interest. But altogether he thought that this was not a case of a similar character. If he were a game-preserving landlord—and he should say that those who had been preserving game indiscreetly, and without that regard to the interests of the tenants which they ought to feel, had little to answer for, because he believed them to be exceptional cases — but if he were a game-preserving landlord not only willing, but anxious to oppress a tenant-farmer by multiplying game on the farm for his own sport, he should not desire a better clause than that which was contained in this Bill, for that was a clause which would be a most powerful engine in the hands of every landlord in Scotland who wished to preserve game. For the provision of that clause was that if in any case a clause should be inserted prohibiting the tenant from killing hares and rabbits, the lease should be immediately void; so that the effect would be that the tenant would be immediately turned out of his farm. Certainly that would be a most powerful engine of oppression to put into the hands of landlords. But without entering further into the provisions of the Bill, which he believed was not calculated to attain the end which his hon. Friend had in view, he would not now, for the reasons he had stated, offer any active opposition to the second reading. But he reserved to himself, at a future stage, when the Government measure was brought before the House, to take such a course as he should consider expedient.

Lord GARLIES said, he had certainly hoped that it would not have been necessary for him to say a word on this subject; but there had been a debate going on for the last three hours and a half, which had been almost entirely confined to Members sitting on the Government side of the House. But after what had occurred; after the strong objections offered to the Bill—and the objections of the Lord Advocate were as strong as any—he felt he should not be discharging his duty unless he were to move an Amendment, that the Bill be read a second time this day six months. He had hoped that when the Lord Advocate said he was entirely opposed to the principle of the Bill, he would have ended by saying that the Government intended to give the second reading an active opposition. But to his surprise the hon. and learned Gentleman took exactly the opposite course—he was opposed to the principle of the Bill, and would support the second reading. Now, it appeared to him (Lord Garlies) not becoming for Her Majesty's Government to take a course such as that which they had announced. They should either say they would support the principle of the Bill, and go into the Lobby if necessary in support of that principle; or, on the contrary, if the provisions of the Bill were such as the Lord Advocate had described them to be, they should be prepared to divide the House against the measure. He believed it was as distasteful to the Lord Advocate to take that course, as it was for him to complain of it; but he supposed his hon. and learned Friend had a "tip" from some higher authority to act in the way he had done. He felt that the only course which the House could take, after the remarks which had fallen from the Lord Advocate, was to reject this Bill; and he therefore called upon hon. Members to support the Amendment.

Mr. CRAUFURD seconded the Amendment of the noble Lord. He did so because he thought it was desirable to make it evident that it was not a party question. He was fully prepared to remedy such grievances as were capable of remedy, but the Bill, instead of remedying them, would only create ten-fold greater grievances. It was unnecessary for him to detain the House with further arguments against the Bill. His right hon. and learned Friend the Lord Advocate had already demolished it in language which expressed, far more ably and more cogently than he could have done his objections to the measure. He gathered from his speech that it was simply a matter of delicacy that he had not opposed the second reading, because his own measure on the subject had not yet been introduced. It could only be a motive of that kind that had caused him to say that he would not at once extinguish the Bill, and he therefore thought the kindest thing they could do was that which he was sure he wished in his heart—namely, reject the Bill.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Lord Garlies.*)

Mr. GORDON said, he was anxious that there should be a remedy applied to any alleged grievance arising out of the game laws, in order that an end might be put to an agitation which had been got up in Scotland on the subject. He was therefore glad when he saw on the Notice Paper that the Lord Advocate was going to introduce a Bill for the purpose of settling the question. The question was one which pre-eminently called for the interference of Government, and no party could effectually settle it except the Government. That, indeed, was the view taken by the predecessor of the present Lord Advocate in 1869. When last year a Bill similar to the present was brought before the House by the hon. and learned Member for Wick, the course adopted by the Government was to ask for a postponement of the second reading till the Lord Advocate had introduced his own Bill on the subject; and he (Mr. Gordon) ventured to think it would have been much better if, on the present occasion, the Lord Advocate had made a similar request, instead of not opposing the further progress of the Bill. If he had done so, it would have rendered a Division unnecessary. It was perfectly obvious that if they proceeded to a vote on the second reading of this Bill, there would be opposition not only from many hon. Members on that (the Opposition) side of the House, but also from many on the other side, who objected to what some of the clauses enacted — such clauses being, in reality, an interference with the right of contract. Now, he himself was extremely anxious that there should be a settlement, and was unwilling to vote against a measure which professed to do something towards that end; but in the event of there being a Division, he should feel it his duty to vote against this Bill. He would venture, as a compromise, to propose that the second reading should be deferred until the Lord Advocate's Bill was before the House, when they could consider both measures at the same time. That was the course which was followed last Session. He was satisfied there had been great exaggeration in reference to the operation of those laws, and that a general case had been endeavoured to be made out, because of exceptional grievances. He believed there was a good feeling between landlord and tenant generally in Scotland, and he regretted that the Government did not grant the inquiry which some time ago was asked for upon this subject, because he was satisfied that if it had been brought home to the landlords that alterations in the law were required, they would have been ready to agree to them. If the Lord Advocate's Bill was to settle this question, he thought they should have that Bill before the House before they assented to the second reading of a Bill which contained a principle such as that embodied in the measure now under consideration.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 85; Noes 154: Majority 69.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

EDUCATION OF THE BLIND, DEAF, AND DUMB BILL—[BILL 14.]

(*Mr. Wheelhouse, Mr. Mellor, Mr. Ward Jackson.*)

SECOND READING.

Order for Second Reading read.

MR. WHEELHOUSE, in moving that the Bill be now read the second time, said, that whether the second reading was agreed to or not, he was sure the object of the Bill was one which would obtain the sympathy of every hon. Member in that House. The object was to secure, so far as it was possible, education for every deaf and dumb, or blind child in the kingdom. He believed that every other country in Europe and America recognized the claims of this unfortunate class; in England alone, to her great scandal, the State did practically nothing for them. Yet in England one person in every 1,600 was deaf and dumb, and one in every 1,000 or 1,200 blind. Such of these unfortunate persons as belonged to the pauper class necessarily shared in the provision made for the relief of the poor; but the State had practically made no provision for them beyond and apart from that class. There were, indeed, one or two Acts of Parliament which enabled Boards of Guardians to send pauper children to voluntarily supported institutions; but it was not the duty of those officers to spend the money of the ratepayers in seeking out persons so afflicted; nor could they attempt to do all that was possible for such persons. Even, however, if they did all they could, there would still be a wide space left unoccupied. Suppose a poor man, with eight or nine children—and he (Mr. Wheelhouse) knew unfortunately too many such cases—one of whom was deaf, mute, or blind, would it not be a gross injustice to the others that the father should spend more than a fair share of his money upon educating that one? The whole cost of such education ought not to fall upon the parent in that case; but the child should be treated as it would be in other countries, as the child of the State. There were in the three kingdoms 40,000 or 60,000 individuals, one-sixth or one-eighth of whom were of an educationable age, of the afflicted classes for whom the Bill sought to provide, who, with a few exceptions, where the Guardians were zealous in their duty, received no education whatever. Why, he would ask, was no provision made for them in the Bill of last year? Surely if it were necessary to legislate then for the education of children who were not deprived of sight, speech, or hearing, it was much more necessary that provision should be made for the education of these poor creatures. If a blind child were educated, it could do much for its own assistance; and an educated deaf and dumb person often made a better workman than one who was not under any such deprivation. They were very easily taught certain trades, and it was not only for their own advantage that they should be educated in fit branches of industry, but it was for the benefit of the State. It might be said that the measure would not work, and that it was inopportune; but precisely the same thing had been said against the Factory Acts, which were now the law of the land. The House would deal with the Bill as they thought fit; what he wanted was not so much the passing of this Bill as to secure the immediate recognition of the claims of this class. He, however, thought that the Bill was adequate for its object. The 1st clause rendered it compulsory on the Guardians, on application from the parents, with the approval of the Poor Law Board, to send any such child to some suitable school, whether certified or not, at an expense not exceeding £24 annually; the 2nd clause enabled the Guardians to send the child to school in the same manner, in cases where no application is made by the parent; and the 3rd clause authorized the Guardians in cases where the parent, or other person, should offer to pay a portion of the support of any child in any such school or institution, to pay the residue of the expense; the selection of the institution being left with the Guardians. There were certain subsidiary clauses; one providing that the child shall be sent to a school established for the reception of children of the religion to which such child shall belong; another enabled the Committee of Privy Council to appoint a special Inspector for deaf and dumb schools; and another that the school, on being certified by the Inspector, shall receive for each pupil specified payment. He might be told that there was nothing in the Education Act, or the Revised Code, which could prevent the instruction of these children; but still there was no positive provision there for teaching them, though surely there might at least have been a provision that books with raised type should be provided for the use of the blind in the ordinary "sighted" schools, under the recent Act, a matter which would have done much towards ensuring the spread of education among them, since it might be taken to have been proved, by experiments lately tried in Scotland, that many, if not most, of such children could be thus effectively instructed. Would it be believed that even now—in 1871—there was only one single institution throughout England for the education of the blind sons of gentlemen, an establishment of which he (Mr. Wheelhouse) could not speak sufficiently highly, but it was quite right and only due that it should be named—the College at Worcester—but beyond this, there was not the slightest provision, save such as was made by voluntary effort alone, for the education of any person, either blind or deaf, mute, above the rank and class of a pauper. Surely some remedy for such a state of things ought to be at once provided by the State. He (Mr. Wheelhouse) could assure the House that by affording such instruction, the rates would be lessened, not increased, by following out the course he indicated. He moved the second reading of this Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Wheelhouse.*)

Mr. HIBBERT said, he regretted that he was obliged to oppose the Bill, because everyone must sympathize with the object the hon. Member had in view. There was, however, a good way and a bad way of effecting the object, and he conceived that the hon. Member had taken the very worst way. It might be supposed, from the speech of the hon. Member, that children of the class included in the Bill had hitherto been entirely neglected by Parliament. That was not so. In the year 1862 an Act was passed, giving power to Boards of Guardians to send deaf and dumb or blind children to certain schools certified by the Poor Law Department. A number of such schools had in consequence been certified—namely, 11 schools for the blind; 9 for the deaf and dumb; 1 for idiots, and 19 as industrial schools, and a number of these afflicted children sent to them; and in 1867, at the instigation of the Poor Law Board, a Bill was passed extending the Act to adult persons. Therefore, to induce the House to pass such a Bill as the present, the hon. Gentleman ought to show that the Boards of Guardians had failed in their duty. Last year the hon. Gentleman (Mr. Wheelhouse) brought in a Bill for a similar purpose, which compelled the Boards of Guardians, on the application of the parents of an indigent blind or deaf and dumb child, to send such child to school—it also authorized the Guardians, where the parents neglected their duty, to step in and provide the necessary education; and that the expense should be borne in part by the Guardians, and in part by the parents. The measure of last year referred to the children of poor persons; but in the present Bill the word "poor" was omitted; and the 1st clause referred to the children of all classes; so that under its provisions Boards of Guardians might be compelled to send to schools of the description mentioned in the Bill the children of well-to-do people, and the expense of their maintenance there would fall on the ratepayers. If the Bill passed, the Poor Law Department would be placed in a position it had never occupied before—that of controlling the Guardians in the amount of relief to be given in any individual case; and that was one of the grounds on which he opposed the Bill. The 2nd clause empowered Boards of Guardians to take the afflicted children from their parents, and to send them to any schools fitted for their reception; and though pauper children were at present maintained and educated for £14 or £16 a-year in workhouse schools, the Bill provided that whenever the Guardians exercised that power they should pay a sum of at least £24 a-year for every child they sent to school. The provisions of the Bill would very soon add another grievance to those already complained of by those who objected to the heavy burden of the local rates. He trusted the House would not break through the principle of Poor Law relief—namely, that the Guardians were the persons to decide what was the proper relief to be given, and that it should not be left to the central authority to decide matters of this kind. If the Bill applied to the pauper class only, there was a provision already for the pauper class of such children; if it did not apply to the pauper class alone, then the whole duty should be referred to the Educational Board. He moved that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Hibbert.*)

MR. SYNAN opposed the Bill on the ground that there was no reason whatever why the cost of this compulsory education of the deaf and dumb and blind should be thrown on the local taxation rather than on the Educational Department. The hon. Gentleman who had moved the second reading had failed to show that the machinery at present provided was ineffective. Moreover, he seemed to be unaware that the Act of 25 & 26 *Vict.*, which was the basis of his present Bill, did not extend to Ireland. But the Poor Law Boards there had power, under a special law, to send such children to special institutions and to pay for them.

MR. M'LAREN said, that in Scotland the practice of sending blind children to school and giving the teachers a little gratuity for teaching the children to read by means of raised characters had worked well. Such a system was well worth trying in this country, especially when it was recollected how very small a proportion of the blind were educated at all.

SIR MICHAEL HICKS-BEACH opposed the Bill. It was one which would certainly fail in practice. He was not prepared to say that some amendment of the existing law might not be made; but with regard to the afflicted children of the class that were not paupers, the effect of the Bill would be to give a right to relief to persons who otherwise would have no claim. One evil effect, therefore, would be its tendency to pauperize persons who, at present, had neither the necessity nor the wish to ask for public relief. Moreover, he thought it would introduce a very dangerous principle of legislation, by imposing on the public a duty which properly attached to individuals. Again, the 7th clause appeared to him very objectionable. It provided that the children should not be sent to any school which was not conducted according to the religion to which they might be supposed to belong. This could only be carried out by the foundation of a great number of schools for a comparatively few children who were deaf or dumb, at an expense quite out of proportion to the necessities of the case.

MR. C. S. READ admitted the advantage of educating these unfortunate children; but that was a duty which was better performed by good and charitable institutions than by Boards of Guardians and by public rates. He maintained that the purpose of the Poor Law was simply to relieve absolute destitution; to relieve unavoidable cases of misfortune and distress was the legitimate office of the humane public. With regard to Ireland, he would point out that the Act for disestablishing the Church of Ireland provided that a portion of the surplus property of the Church should be applied to the relief of this class of persons. His principal objection to the Bill was that it overrode entirely the authority of the Boards of Guardians, and added further power to the Poor Law Board.

Question, "That the word 'now' stand part of the Question," put, and *negatived.*

Words *added.*

Main Question, as amended, put and *agreed to.*

Bill *put off* for six months.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL—[Bill 2.]

(*Mr. Thomas Chambers, Mr. Morley.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Thomas Chambers.*)

Mr. COLLINS rose to enter his protest not against the question whether it was desirable or not desirable to legislate on this subject, but against the very exceptional manner in which the Bill proposed to deal with the restrictions at present forbidding persons related in certain degrees by marriage from intermarrying. [The hon. Member here read, at some length, extracts from papers on the subject published in a Manchester journal.] The legislation proposed appeared to him to be arbitrary and one-sided—for instance, the children of a man by his sister by marriage would be legitimate, while the children of a man by his niece by marriage would be illegitimate. Again, the marriage of a man with the second of two sisters would be perfectly valid, while the marriage of a woman with the second of two brothers would be void. If the House thought that affinity by blood should be the only bar to marriage, let them say so in a direct and consistent manner; but he objected to this half and half legislation.

Mr. Speaker having put the Question, "That I do now leave the Chair," declared the Motion to be agreed to.

House in Committee accordingly.

Mr. HUNT immediately rose, and said that he and a great many more Members said "No" to the Question that the Speaker leave the Chair. He should now move that the Chairman of the Committee leave the Chair.

Motion made, and Question proposed, "That the Chairman do now leave the Chair."—(*Mr. Hunt.*)

Mr. BRUCE said, he failed to hear that anyone had challenged the decision of the Speaker.

The CHAIRMAN (Mr. Dodson) pointed out that it was irregular to review in Committee proceedings which had taken place in the House.

Question put:—The Committee *divided:*—Ayes 84; Noes 149: Majority 65.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Marriage between a man and his deceased wife's sister not void or voidable).

Sir HENRY SELWIN-IBBETSON moved an Amendment to omit the first part of the clause, giving a retrospective effect to the Bill. The Committee ought to hesitate long before they admitted retrospective legislation into a question of this kind. Retrospective legislation was contrary to the general principles by which our legislation was usually carried on, and when Parliament dealt with a subject like this, so thoroughly mixed up with the social history of the people, they should exercise very great caution indeed. He also objected to the 3rd clause of the Bill, and intended to move its omission, because it was unjust and inequitable. The effect of that clause was to provide that where a child had been born of one of these marriages and was therefore illegitimate, its birth should be legitimatized, but yet that child should not inherit any property or title as heir-at-law. In reality, such children were to be declared legitimate by birth, but illegitimate by social position. The retrospective clause gave, in fact, the true history of the Bill. It was not sought for by the majority of the people; it was not asked for by the women of the country, but was promoted by a small number of the wealthier classes, who insisted that Parliament should condone their former errors, and legalize their deliberate infringement of the law.

Mr. M'LAREN said, that as a statement had recently been made that the opinion of Scotland had been changed on this question, he wished to say that that was not correct. The people of Scotland were strongly opposed to it, notwithstanding the fact that a regular paid agency, supplied with money from London, had been at work there in order to get up Petitions. With all their efforts they had only got Petitions from 11 Town Councils out of the 80 Scotch boroughs.

MR. GATHORNE HARDY said, he wished to ask if the House on any former occasion had ever been called upon to sanction a deliberate breach of the law? It was quite clear—it was written in letters of fire which no one could misunderstand, that these unions were prohibited. In spite of that fact certain persons related in this way had entered into what they called marriage, but what, in reality, was no marriage. Had they done so under any misapprehension or mistake? Certainly not. Counsel were constantly being applied to to suggest means by which the law could be evaded; but the law was too well known—it had been the law of this country for 1,200 or 1,400 years, and should not be abrogated unless it could clearly be shown that it was contrary to the law of God. Why should Parliament go back to sanction the breach of law which a man had knowingly and wilfully committed? Who were those who sought to have the law changed? Why did they not show themselves? Why was there a secret agency at the bottom of this movement; and why was it that the people who professed to be the sufferers from this grievance, as they called it, never came before the public themselves, but applied to others to get the work done for them—they supplying only the money? It would be a grievous wrong to sanction a breach of law which had been openly and wilfully committed, and if that sanction were given there would be no end to the complications and quarrels and litigations it would occasion. But if the law were to be altered, it should be altered openly and fairly, and those who had contracted these marriages should be married again under the new law. In that case there would be an intelligible point to start from. If this retrospective action of the Bill were permitted, no one could tell what results it would bring about. No one knew what children had been born, or what rights had been acquired by others, and an immense field would be opened for litigation. He had a strong opinion on this question. He believed, in spite of all that had been said about the religious question, that marriages of affinity were forbidden in the same degree as marriages of consanguinity. He believed that to be the law of God, and he was sure it was the law of the land. However much one might sympathize with the children of these marriages, as born in a state of concubinage, it should be remembered that it was the fault of their parents, for there could be no doubt that they had wilfully violated the law. For his own part, he would never, either as a matter of feeling, or as a matter of duty, sanction a proceeding by which a woman would make her sister's grave a stepping-stone into her brother's bed.

MR. T. CHAMBERS desired to point out that the proposal for retrospective legislation contained in this Bill had its precedent in the Act of 1853.

MR. COLLINS said, that while the Bill sanctioned marriages which had already taken place with deceased wives' sisters, the 2nd clause declared that these second marriages should not be considered valid, if either of the parties had subsequently married again. That was an important point, which deserved attention.

But it being now a quarter to Six of the clock—

Committee report Progress; to sit again *To-morrow.*

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, 9th March 1871.

MINUTES.]—PUBLIC BILL—*First Reading*—County Property * (35).

IRISH LAW REFORM.—QUESTION.

THE MARQUESS OF CLANRICARDE asked, What Bills for the Improvement of the Administration of Justice in Ireland the Government intend to propose to Parliament this Session, especially in regard to the Common Law, Bankruptcy, Matrimonial Causes, and County Courts? Reforms in this direction were urgently required, and would encounter little or no opposition—particularly the extension of the Bankruptcy Law to non-traders, and the extension of the jurisdiction of County Courts.

LORD DUFFERIN, in reply, said, that the legislation intended to be proposed by the Government relating to Ireland would exceed, he believed, even the expectations of his noble Friend. Her Majesty's Government would be prepared in the course of the present Session to introduce five Bills relating to Ireland on the following subjects:—a Bill for the abolition of Imprisonment for Debt, one for the amendment of the Law of Bankruptcy, a Bill to amend the law relating to Matrimonial Causes, one to amend the law respecting the execution of decrees in the County Courts, and, lastly, a Bill having reference to the law respecting Juries. It was impossible for him at present to give his noble Friend more information than the mere titles of the Bills, for as a layman he was unable to judge more than the general scope of them by their names.

PRUSSIA AND RUSSIA—ALLEGED SECRET TREATY.—QUESTION.

THE EARL OF CARNARVON said, he ventured to ask the noble Earl opposite the Secretary of State for Foreign Affairs a Question, the urgency of which justified his putting it without Notice. The day before yesterday the Prime Minister was reported to have stated in the House of Commons that he was not informed of the existence of any secret treaty between Prussia and Russia, either immediately previous to or during the continuance of the late war. The question had been raised whether the words "not informed" referred merely to official information. This morning a very specific statement appeared in one of the London morning papers, asserting the existence of a secret treaty or engagement, concluded between the two Powers named just prior to the outbreak of the war, and with reference to certain contingencies to which the war might give rise. Now, inasmuch as to-morrow was appointed for the last meeting of the Conference, when a certain portion of the public law of Europe would come under revision, he hoped it was not too much for him to inquire whether his noble Friend was, directly or indirectly, officially or otherwise, aware of any such treaty, convention, or understanding between the two Powers in question?

EARL GRANVILLE: It would have been more convenient if the noble Earl had given me a longer Notice of the Question he proposed to ask me. His Question relates to the truth of a statement which appears in *The Morning Post* of this morning. I have no knowledge of any such treaty as that referred to by *The Morning Post.* As to rumours on the subject, I have heard rumours of every sort and description, some of the most contradictory character; but I have no knowledge of the existence of anything of the kind. Perhaps, as the noble Earl has put a Question to me, he will allow me to ask whether the treaty described by *The Morning Post* is the treaty of which Members of the Opposition seem to have some knowledge?

THE EARL OF CARNARVON: I know nothing of the treaty beyond what is stated by *The Morning Post.*

CONVICTS FOR POLITICAL OFFENCES —RELEASE OF FENIAN PRISONERS.

ADDRESS FOR PAPERS.

EARL GREY: My Lords, your Lordships will remember that in the debate on the Address at the opening of the Session, reference was made to the release of the Fenian prisoners, and that the noble Earl opposite (Earl Granville) did not give more than a very slight and general reply to those observations. I have no complaint to make of his so treating the subject, as it had only been cursorily referred to; but, as I think a very serious mistake has been committed by Her Majesty's Government in the matter, it appears to me only right that they should have an opportunity of offering a fuller explanation in this House. I am aware that the amnesty is now an accomplished fact, and cannot be recalled; but it is not without its use that any mistakes which may have been made by the Government in the exercise of their powers should be noticed in Parliament, for such notice is no unimportant check on the commission of similar mistakes again. The facts of the case are very simple. Your Lordships are aware that two years ago a considerable number of persons who had been convicted of treason-felony and other offences received a remission of their sentences, but that 32 prisoners were reserved. We learn by the newspapers that since the end of last Session all—or, at all events, the majority—of those prisoners have been released. I trust not all—because one or two of them were concerned in murders of a very aggravated description, and I cannot suppose that they have been pardoned; but this will be shown by the Return for which I am about to move. It appears to me that the discharge of these prisoners was a measure which requires explanation. It has for many years been almost an axiom among all who take an interest in the effectual administration of the criminal law, that there should be the utmost certainty of punishment; nothing being so mischievous as that criminals should be led to believe that, when convicted for crimes, and the punishment duly awarded by the Courts of Law, they have a chance of escaping the infliction of such punishments. So strongly has this been felt that of late years the Government, with the full assent of Parliament, have acted on the principle of reducing the remission of a portion of the sentence of persons condemned to penal servitude—a remission which had been usually made as the reward of good conduct—to such strict and stringent rules that there should be no doubt or uncertainty as to the amount of punishment every convict was to undergo. Now, the discharge of these prisoners seems to me to be a direct violation of this first rule of criminal policy. And yet this was a case in which it was peculiarly important that the rule should be adhered to. I would remind your Lordships that these men had been the objects of very great and unusual clemency. In olden times men who had been concerned in such an attempt to overturn the Government would undoubtedly have expiated their offence on the scaffold. I believe there is hardly a country in the world in which even now the Government would abstain from inflicting capital punishment on persons guilty of such an offence. But Her Majesty's Government acted, as I think, with a wise clemency in proceeding against these men not for treason, which would have made a capital sentence the necessary consequence of their conviction, but for treason-felony, and they were consequently sentenced for the most part only to long terms of penal servitude. Now, the necessary effect of the course taken by the Government of releasing them after the expiration of a comparatively short portion of the punishment to which they were sentenced, is to lead other persons disposed to engage in similar treasonable plots to say—"Oh, there is no reason to be alarmed if we fail in an attempt to overthrow the Government, hanging is out of the question, and though penal servitude for life sounds very terrible, we know very well that after a time we shall be discharged; so that if we succeed there is a grand prize for us, and if we fail we run, after all, no great risk." Observe, moreover, how difficult it will be to future Governments, in case of the recurrence of similar attempts against the safety of the State, to practise the same clemency as has been shown in this instance. For the vindication of the law, for the creation of that wholesome fear which is necessary for the safety of the State, the measure now adopted will tend to compel future Governments to have recourse to capital punishment much more largely than would otherwise be necessary. Such is the tendency of the measure; and I find it the more difficult to understand why such a step can have been taken by the Government when I remember the description given of these very men by a right hon. Friend of mine who lately held the office of Chief Secretary for Ireland. Two years ago, after a part of the prisoners had been discharged, the O'Conor Don pressed on the Chief Secretary in the House of Commons the claims of other prisoners; and Mr. Chichester Fortescue gave his reasons for declining to entertain the application. He stated that all the cases of the Fenian convicts then undergoing punishment had been carefully considered, and that 49 of them would be unconditionally released, while 32 were still to undergo their sentence. In justifying the refusal of the Government to include them in the list of those who were to be pardoned, he thus described the latter class—

> "This list of thirty-two prisoners included almost all the main founders, leaders, and organizers of the Fenian movement. It included men who were deeply responsible for the attempted revolution of the last two or three years, and men whom the Government and the Lord Lieutenant felt it would not be consistent with their

> duty to discharge, or whose freedom would be compatible with the public safety—men, he might add, with regard to whom the Government had no reason to believe that they might not, if discharged, attempt again to renew their unhappy and criminal, although desperate enterprize, and to whom, therefore, the Government, while rejoicing, as they did, and as Lord Spencer did, that they had been able to reduce the lists so largely, felt that the clemency of the Crown should not be extended."—[3 *Hansard*, cxciv. 159.]

That was the opinion of the Government in February, 1869, and I shall be anxious to hear from my noble Friend opposite why they have altered it? It appears to me that, while the release of these prisoners was in itself injudicious, the mode in which it was carried out was, if possible, still more injudicious. If they were to be discharged, the reasonable course would have been to discharge them freely, requiring no other condition than the simple one of their taking the oath of allegiance, and binding themselves in writing not to engage in any future attempts against the peace of the kingdom. Had they been discharged in that manner, and allowed to remain here, the bad example of the remission of punishment would have remained, but the men themselves would have been powerless for evil. They would not have even a plausible case of grievance against the Government, they would not have been raised into any factitious importance, and had they attempted to renew their treasonable proceedings they must have committed direct perjury; and I cannot but think that this would have diminished their influence even among the Fenians. The Government, however, thought fit to act differently. They would not allow the prisoners to remain in the United Kingdom, but they gave them first-class passages in the finest vessels which cross the Atlantic to the United States. They sent them to the very place where they were most able to injure us, bound to no engagement whatever. They had raised them into consideration by showing them that they were afraid of their influence at home, and by treating them in a special manner, and they sent them to the United States, where the large Fenian societies work infinitely more mischief than in the United Kingdom. I will not trouble your Lordships with an account of what you remember followed the arrival of those persons in America. It is sufficient for me to say that those occurrences furnish conclusive proof that the mode of discharging them was a mistake. We have had as yet no explanation from the Government, of their reasons for the course they have taken, and the main object of my Motion is to elicit one; but, judging by the few words which have been said, and by what has been stated out of Parliament by those who have defended the measure it appears that the grounds relied on by the Government are these—It is argued that persons who have committed political offences are by common consent to be looked on in quite a different light from persons who have committed ordinary crimes against the law of the land; it is urged that in the United States, for instance, the persons engaged in the great Civil War were not punished as criminals, and that we have on various occasions taken upon ourselves to recommend to other nations clemency towards persons suffering punishment for political offences. Now, it is true that the common feeling of mankind has long decided that when nations are unhappily divided so that civil war breaks out, both parties probably believing their cause a just one, it is not right to treat the large number of persons engaged in such a war as criminals and rebels; and the United States only acted on that view in not punishing the Confederates with severity. I admit, also, that, when men conspire against some Government, under which the people have been suffering grievous wrong, and fail in their attempt, sympathy is often felt for them. I admit, moreover, that in countries where there are continual revolutions, in which hostile parties successively drive each other from power by violence, it is felt that those who, for the moment, by a turn of the wheel are brought down, are hardly fit subjects for extreme punishment. I believe it is true, too, that the Government of this country has in some cases taken upon itself to recommend such persons to clemency—though I am not sure that the propriety with which this has been done has been in all cases unquestionable; and I doubt very much whether such remonstrances or representations have been addressed to powerful States, or to Governments of a stable and respectable character. Admitting that to this extent allowance is, in certain cases, to be made for political offenders, I utterly deny that any principle on which such indulgence has hitherto been thought proper applies to these men. They were not honourable adversaries in civil war, for there was no civil war in question; still less were they patriots, risking their lives to free their country from some detestable and grinding tyranny. Whatever may have been the faults of the English Government towards Ireland in bygone centuries, nobody can deny that for many years past it has been the sincere desire of the English people, and of the Imperial Parliament, to do justice to Ireland in the fullest sense of the word and to raise it to happiness and prosperity. There may still be bad laws in operation, but it is not true that those laws could not be got rid of by peaceable means. Now, one of the first conditions which is indispensable to give any claim to indulgence to men who incur the responsibility of risking all the calamities of civil war in a country which is enjoying peace and tranquillity, is that there should have been no fair chance by peaceable means of obtaining redress. That was certainly not the case with regard to Ireland. The attempt of these men was one of a very different character. It was an attempt to upset by violence the settled government under which the people of Ireland were enjoying peace and political liberty in as full measure as ourselves, at the price of bloodshed and confusion. Nor is this all. They have avowed in various writings and speeches that they were prepared to attempt this object by the most atrocious means—by the secret assassination of the civil and military servants of the Crown, the burning of barracks with soldiers in them, and the most cruel and barbarous modes of destruction that could be devised. All these things were deliberately recommended, and not only recommended, but, in many instances, put into operation. Your Lordships know that constables have been secretly shot at night in Ireland, and that murders of other kinds have been committed. We know that the persons engaged in the conspiracy prosecuted their object by such acts as the murder of a policeman engaged in his duty at Manchester, and by that most fiendish outrage the explosion at Clerkenwell. We know, moreover, that the men engaged in these atrocious crimes have been treated by the Fenian body not as criminals and persons whom they ought to disavow, but as martyrs in the cause of their country and as men entitled to honour and glory. Their acts have been adopted by the Fenian society, and that brotherhood, as they call themselves, must be regarded as art and part in all these proceedings. I say, then, that the persons convicted of participation in this conspiracy have incurred far greater moral guilt, as they have also done far more injury to the State, than any ordinary robber or murderer; and that, instead of being entitled to special consideration and indulgence, they ought to have been subjected to special severity. By the discharge of these men in the present state of Ireland, you have taught the Irish people to believe that an attempt to overthrow the authority of the Crown by force is regarded by Her Majesty's Government as a venial offence. You are teaching them that a rebellion or a conspiracy of such a description is not regarded as depriving them of a claim to indulgence on the part of the Government. They are looked upon as on the same level with the Neapolitan patriots, who suffered imprisonment in loathsome dungeons for endeavouring by very different means to get rid of a system of dreadful tyranny, and with any of the men who in recent years have been punished by other Governments of the same kind. Now, this, in the present state of the country, is a most dangerous lesson to have taught the people of Ireland. What is the real condition of Ireland? Your Lordships have been told, on very high authority, that the general condition of Ireland is highly satisfactory, although it is admitted that in one particular district the state of things is "intolerable;" and we have been told on the high authority of a Chief Justice that the state of things in that part of Ireland is getting from bad to worse. But then we are told that all this is purely local, that in general the country is prospering, that the remedial legislation of the last two years is beginning to produce its effect, and that prosperity, peace, and loyalty are general throughout the country. I fear that even with regard to agrarian outrages this is too favourable an account of the state of Ireland; already these outrages are not so strictly confined to one locality, as Her Majesty's Government have assumed. I am afraid that in at least two or three other counties similar atrocities to those which have disgraced Westmeath have been committed. I am, however, willing to leave agrarian outrages out of consideration; but I want to know what is the evidence to justify the description given by the Government of the present condition of Ireland? It is correct, indeed, in one respect. I believe that there is at this moment great material prosperity in every part of Ireland, and that good harvests and good prices have made the farmers generally highly prosperous; though I am afraid that that prosperity is not what it might be, and that the feeling of insecurity which still exists prevents that great development of the resources of the country which ought to occur. Still, compared with former years, Ireland, I believe, may be said to be prosperous. When, however, I come to inquire about loyalty and the effect of recent legislation in reconciling the great bulk of the population to this country, the answer is not so satisfactory. Instead of proofs of increasing loyalty I see a change in the other direction. We cannot look to the result of recent elections, to the language used at public meetings, or to the tone of the Press, without seeing that there are graver symptoms than I remember at any former period of a disposition among the Irish people to sympathize with any who are supposed to be the enemies of England, and to rejoice at anything which appears like danger and misfortune that befalls us. I see a greater disposition than ever to struggle for a disruption of the British Empire. We have against the Imperial Government not merely those who call themselves Nationalists, who have become increasingly powerful, but other parties, which while they disclaim any desire for the disruption of the Empire, have for their object measures which would inevitably lead to it, and include in their ranks men of character and standing in the country, who did not formerly espouse these views. Under the guise of "Home Government," or other names, these persons are putting forward proposals for measures which would result in the disruption of the Empire. Some of your Lordships are old enough, like myself, to remember that 40 years ago when there was the great agitation for the repeal of the Union, those who promoted it professed loyalty to the British Crown, but said they must have a separate Parliament. English statesmen of all parties however agreed that this was a mere pretence — that were repeal granted separation must inevitably follow, and that separation and every step towards it must be resisted to the last. I trust that is the opinion of statesmen of all parties still. I trust Her Majesty's Ministers and all of your Lordships are prepared to resist to the utmost not only the rending asunder of the British Empire, but every minor measure which would by the surest steps conduct us to that result. There ought to be no mistake about the feelings of Parliament, of the Government, and of the country on this point. Are we not all convinced that the separation of Ireland from this country would be even a greater calamity to Ireland than to ourselves? When we observe the manner in which Ireland is distracted by rival factions, and the bitterness of their hostility towards each other—when we observe that even among those who concur in the object of pulling down British authority, and who unite in the United States or Canada for this treasonable object, the disposition to division is so strong that the Fenians across the Atlantic have become two hostile bodies, bitterly assailing each other—when we look at the passions which prevail, and the difficulty experienced by the Executive Government in preventing rival factions from flying at each others' throats, does anybody doubt that if these men were to succeed in their object, and to throw off the connection with the British Crown, Ireland would speedily become a scene of internal anarchy and bloodshed? This would almost inevitably lead to some foreign Power being called in to govern them, and we should see the establishment close to our own shores of some Power hostile to this country. Our duty, then, to the large number of loyal Irishmen, as well as regard for our own safety, will not permit us for a moment to tolerate such a state of things; any attempt at the disruption of the Empire must be resisted to the very last, and nothing but such a complete overthrow by a conquering enemy as that which France has lately suffered would be sufficient to justify us in submitting to such a result. This being the case, is it possible to disguise from ourselves that there are symptoms now in Ireland of a state of feeling which threatens, sooner or later, to produce a fearful struggle, and that those feelings are becoming spread among the population to a dangerous extent? I wish I could doubt that this is an accurate account of the existing state of things, and that I could see any grounds for believing with Her Majesty's Ministers that the disaffection to the British Crown which prevails in Ireland is only the consequence of former misgovernment and is now gradually dying out. I admit that among nations the effects of long-continued errors cannot be removed in a short period of time, and that the healing influence of a wise policy must at first be slow. I admit that rapid improvement from a change in the system of government is not to be looked for; but if our measures have been wise, whatever change they have produced ought to be for the better, and I do not see any sign that this is the case; on the contrary, I believe that so far from tending to improve, things are getting from bad to worse. In 1868 a Motion was made in the House of Commons for a Committee on the state of Ireland, which gave rise to a very remarkable debate, in which men of very great ability on both sides of the House took part. All the most eminent speakers on that occasion concurred in giving a description of the then condition of Ireland, which we cannot compare with what now exists without seeing that the comparison is greatly to the disadvantage of the present state of things. And this, I venture to say, is no unnatural result of what has since occurred. There has been a change for the worse from the time when, by the introduction of Mr. Gladstone's Resolution, the Church of Ireland became a party question, and an instrument for overturning the existing Administration. I do not deny that Ireland had grievances to complain of both in regard to the Church and the land; but you have unfortunately dealt with those subjects in such a manner as to deprive the concessions you have made of their real value. With regard to the Church, it is almost 40 years since in the other House I avowed my conviction of the necessity of an entire change in the policy of England in that respect. I never receded from that opinion, and I am persuaded that had the question been dealt with in a statesmanlike spirit a measure might have been passed which would have had a most beneficial influence. Unfortunately, however, it was made a party question, and the Irish people have been impressed with the conviction that they owe what they have gained, not to your good will, but to these very Fenians, whose outrages were said by Her Majesty's Ministers to have opened the eyes of the people of England to the necessity of a change of policy. With regard to the land, a great reform of the law was necessary; but I greatly fear that the measure you adopted departed far more than was necessary from most important principles, and the result will hereafter be difficulties and inconveniences, of which symptoms are already perceptible. I need not, however, go back to these old topics. For good or for evil, the Church Bill and the Land Bill are now law. All I wish to point out is that however beneficial you may think your legislation to have been, however confident you may be that by degrees it will have a good effect on the temper of the Irish people, for the present, at all events, it has not done so; and that, on the other hand, there is a feeling which makes it in the highest degree dangerous that by such a measure as that which I have brought before you we have taught the Irish people this fatal lesson—that a conspiracy to overthrow by violence and by the most atrocious means the authority of the Crown is regarded by the Government as only a venial offence. Those who have taken a step calculated to produce this impression on the minds of the people have incurred a responsibility of the heaviest kind. I am far from imputing to my noble Friends opposite, or their Colleagues, that they have wilfully done that which they knew to be injurious to the nation for the sake of any temporary convenience, or of gaining favour with any section of their supporters—I could not for a moment dream of imputing to them such guilt as would be involved in such conduct; but I can only acquit them of it by attributing to them an error of judgment so flagrant and with so little to justify it as to leave them little claim to the confidence even of those who have hitherto been the most ready to repose confidence in them.

Moved that an humble Address be presented to Her Majesty for,

Return of the names of any convicts who may have been specially discharged from custody since the 1st of August 1870 as having been political offenders; together with a statement of the crimes of which they had severally been convicted, and the dates of their conviction: Also,

Copy of any instructions given by Her Majesty's Government with respect to the conditions on which such convicts were to be released, and to any arrangements made for sending them away from the United Kingdom."—(*The Earl Grey.*)

Lord DUFFERIN: My Lords, no objection will be offered by the Government to the production of the documents for which the noble Earl has moved; and in making this announcement my task might have been considered at an end, had not the noble Earl indulged in such severe criticisms upon the Government not only as regards the amnesty extended to the political prisoners, but their general policy towards Ireland, that I must bespeak your Lordships' indulgence while I endeavour—not, I am afraid, to modify his opinion, to which I am quite unequal—but to submit to the House arguments which, in my opinion, militate against it. I do not propose to follow the noble Earl into those topics which, though having reference to Ireland, have no reference whatever to the subject of his Motion; for I do not see what benefit could arise from re-opening ancient controversies as to the Land Bill and the Church Bill, on which your Lordships during the past two Sessions expended so much time and attention. Still less do I see what benefit could arise from a premature examination of the effect of recent legislation, the good effects of which, its warmest advocates admitted, would, in all probability for some years be only partially apparent. I will pass from what I may call these extraneous subjects with only this observation, that as far as my own observation goes the operation of one at least of those measures, the Land Bill, has exceeded my anticipations. In proceeding to combat the noble Earl's opinion that the amnesty granted to the Fenian prisoners was ill-advised, mistimed, and likely to be fraught with disastrous consequences, I wish to assure him and the House that no man is more sensible than I am of the heinous nature of the crime of treason. It is a crime which carries, as it were, in its bosom the guilt of almost every other crime which can be committed, and its evil consequences on the unfortunate population in whose midst it is committed are such as words can hardly describe, or any lapse of time obliterate. I am quite at one with him also in thinking that it is the bounden duty of every Government to exact from those unhappy persons who may have been betrayed into such offences the utmost penalty which the law demands, so far and so long as the exaction of such penalties is likely to prove conducive to the maintenance of tranquillity and the restoration of order among the people amongst whom they are committed. I submit, however, that by the common and universal consent of mankind—as admitted, I think, by the noble Earl—the moral guilt of persons convicted of political offences is not of the same type or character as that of ordinary criminals, and that every Government called upon to deal with them is at liberty so to deal with them as not merely to satisfy what are technically called the ends of justice, but it is bound to consider what may best effect the main object to be kept in view—namely, the assertion of their authority and the restoration of peace and order. Let us for a moment consider the exact circumstances of the case with which the Government had to deal. A few years ago a certain number of persons, many of them possesssing considerable literary ability, and all, I believe, men of unblemished private character, brought themselves within the power of the Treason-Felony Act by a series of seditious newspaper articles. They were arraigned, convicted, and sentenced to different terms of penal servitude. A few months afterwards the seeds of disaffection, which they had thus disseminated, bore disastrous fruit in various abortive and insignificant outbreaks in different counties of Ireland. Immediately the Government put forth its power, and in the course of a very few days it—I will not say re-asserted its authority, for that was never for a moment questioned — but, re-established perfect tranquillity and security from one end of the country to the other. In the meantime all the leaders and principal agents in those disturbances were relegated to prison, where they were allowed to remain for a considerable period. Last year, however, Her Majesty's Government, acting on its discretion, extended the clemency of the Crown to a certain proportion of those prisoners who, in their individual capacity, were perfectly insignificant, and who had taken but a very subordinate part in the transactions in which they had been engaged; and I cannot but think, in reference to this event, that the completeness with which they, and their agitation, have disappeared is in itself a sufficient confirmation of the advisability of that step, and a proof that no disastrous consequences whatever, at all events as far as those persons are concerned, have resulted from it. At the same time, *pari passû* with the total extinction of that agitation and those demonstrations in every part of Ireland, Parliament entered upon a course of remedial legislation in regard to that country such as was entirely unparalleled in its annals, and it also armed the Government with ample powers for the maintenance, north, south, east, and west—of political tranquillity. I especially use the word "political tranquillity," because it would be most unfair and unreasonable—and I do not think that any person acquainted with Ireland would do so—to attempt to confound the Riband confederacy, and the unhappy circumstances now existing in the county of Westmeath, with any movement of a political character or with the Fenian conspiracy. On the contrary, I am prepared, from my knowledge and experience of the circumstances of the case — and in this matter I hope I may be thought to speak with some authority—to say that never for many years has political tranquillity reigned so completely and so undisturbed in Ireland as at this moment. In the first place, the whole of that military organization which had such extensive ramifications in many of the western and southern counties has entirely vanished, the notion of a Fenian rising has become simply ridiculous, and I believe that the expectation of being able either to assault or overthrow the constitutional union of the two countries has altogether disappeared from the minds of its most enthusiastic partiazns. Of course it is very difficult to prove that this is a correct description of the state of Ireland at the present moment; but, at all events, there are two circumstances which I may adduce in confirmation of the view I have taken. I believe it is well known that for several months during the present winter the Commander-in-Chief of Her Majesty's Forces in Ireland has been able to give his attendance in England, and to reside in London without the slightest misgiving as to anything that might happen in his absence. That, certainly, is not a circumstance that could have occurred for many years previously. In the next place, Her Majesty's Government, after consulting the Lords Lieutenant of the various counties in Ireland, and acting, as I believe, on their advice and recommendations, and on their appreciation of the state of the country, have determined in every county in Ireland to call out the Militia. These two facts, I think, speak pretty plainly as to what is the condition of Ireland as respects its political tranquillity. It was in the presence of such circumstances as these that the question of what was to be done with the Fenian prisoners who still remained in their hands forced itself upon the attention of the Government. At the same time a very strong interest—a very intense feeling as to their future fate was expressed by the great mass of the Irish people; and that feeling was exhibited not merely, or in the greatest degree, by those who might be supposed to sympathize more or less with their unfortunate proceedings, but was shared by men of every class and creed in the country, and by persons of the highest respectability, who, I am sure, entertain as great a horror of the treasonable and felonious acts committed by these prisoners as any of your Lordships. Meanwhile, however, years had been rolling on, and those unfortunate men who were incarcerated in 1867 and 1868 had been subjected to all the inevitable rigour and discipline that are inseparable from imprisonment under penal servitude. And here there is a consideration to which I do not myself attach very much weight, but which ought not to be left wholly out of sight in the discussion of this subject. When, in 1848, the Treason-Felony Act was passed, the punishment contemplated by it was transportation either for life or for various terms; but when that punishment ceased to exist under a subsequent Act of Parliament, nothing but penal servitude in this country could be substituted. Now, in the mode in which transportation was applied in our penal colonies a certain amount of elasticity existed under regulations which enabled political prisoners, whose antecedents were of a particular character, to be treated in a way which was universally admitted, where it was possible, to be desirable. But the moment that method of punishment was changed into penal servitude at home, any consideration of that kind was, of course, no longer practicable; and for the sake of their security, as well as from the necessity of maintaining discipline among the whole batch of prisoners confined within the walls of the same prison, it was impossible to distinguish in any degree between men with such antecedents as these political prisoners and the grossest and most brutal criminals who had committed murderous acts. And further, so exceptionally was this discipline thought to tell on those very persons whose case we are now considering, that the Commission appointed to investigate the truth of the allegations preferred by their friends in Ireland, as to the harsh treatment to which it was said they had been subjected—although they fully exculpated those who had them in charge from any undue severity, yet they called the attention of both Houses of Parliament to the fact that, from the nature of the case, it was impossible but that such persons should be subjected to greater rigours than might be desirable; and I believe they recommended to Parliament that if these unfortunate persons were to continue to be incarcerated, or if others should afterwards take their place, they should be relegated to a separate place of confinement, and their imprisonment regulated according to somewhat different rules from those hitherto adopted. I merely mention this circumstance to disprove the allegation of the noble Earl that these persons have got off almost scot free. But, be that as it may, and quite independent of any reference to this consideration, but taking into account the complete suppression of the attempted insurrection — taking into account the perfect political tranquillity which has been maintained for some time in Ireland—taking also into account that the demonstrations formerly made on behalf of these prisoners had ceased — remembering, further, the general feeling prevalent on the subject in Ireland itself, and looking likewise to what in all probability would be the effect of their liberation in assisting to maintain the future tranquillity of that country, Her Majesty's Government determined to commute the sentences of these prisoners not into an absolute pardon, but into a qualified pardon, subject to their removal from the United Kingdom, rather than to retain them in prison to be objects on whom, perhaps, would be concentrated a considerable amount of agitation in future, and a great deal of sympathy on the part of a large body of their fellow-countrymen. In arriving at this conclusion I believe the Government came to what, on the whole, was a right conclusion. At all events, they merely followed the precedents set not only by other European Governments, but by every Government which has had to deal with a similar case in this country. In 1848, Mr. Smith O'Brien, Mr. Martin, and their companions were convicted of treason, and condemned to transportation for life; but in a few years afterwards—I believe in 1856 — their sentences were commuted, and two years later a free pardon was granted to them; and at this moment one of those persons is the representative of an Irish county and a respected Member of the other House of Parliament. Questions of this kind must be left to the discretion of each successive Government, and certainly the question under discussion was one of the most anxious that could be submitted to any Government. But, on taking into consideration the points which I have submitted to your Lordships, I cannot help thinking you will come to the conclusion that the clemency extended to these unfortunate persons was most wisely conceived, and was eminently calculated to compose the agitation which the proceedings of the Fenians had created. There is but one other topic upon which I shall venture to address your Lordships. The noble Earl (Earl Grey), in concluding his speech, described in language very weighty, and very eloquent, what, in his opinion, would be the consequence of separating Ireland from this country. I cordially concur in all that he has said upon that point. I am glad also to express my entire concurrence in all that the noble Earl said respecting the movement for "Home Government." I see by the papers that this question is occasionally agitated in Ireland; but, living in the neighbourhood of Belfast, and being in continual communication with persons residing in all the northern counties of Ireland, I find that movement has attracted, so far as I have been able to learn, not only no sympathy, but no attention whatever. I cannot but think, therefore, that the noble Earl has greatly exaggerated its importance, and greatly overstated the consequences which are likely to arise from it.

Lord CAIRNS: My Lords, it was hardly to be supposed that an act of the Executive Government, such as that referred to by the Motion of the noble Earl (Earl Grey), should pass unnoticed by Parliament, and it was hardly to be supposed that it would be possible to refer to or comment upon that act of the Executive without at the same time referring to the condition of the country to which that act especially related. I am therefore somewhat surprised at the complaint made by the noble Lord (Lord Dufferin) that the field of discussion had been widened by the noble Earl who commenced the debate beyond the scope of his Notice of Motion; and I am the more surprised, because Her Majesty's Government are avowedly at present in search of a policy for Ireland. They have appealed, we are told, to a tribunal "elsewhere" to obtain suggestions and advice upon that head; and I cannot see why Her Majesty's Government should not be willing also to accept suggestions at the hand of any of your Lordships who may be prepared to make them. The question introduced by the noble Earl is, I venture to think, one of extreme importance not merely as regards the condition of Ireland, but as connected with the whole system of the administration of our criminal law. I have endeavoured to inform myself of the grounds upon which Her Majesty's Government has proceeded in this case. I am aware what are the grounds stated by the Prime Minister, and I will presently refer to them; but before doing so I must remark that the ground stated by the noble Lord (Lord Dufferin) this evening, is one which, upon reflection, the Government would be scarcely prepared to support. The noble Lord has gravely told us that one of the leading reasons which led to the release of the Fenian prisoners was that the prisoners found the system of prison discipline extremely disagreeable. That reflection would have applied with equal force as a reason for not putting them in prison at all. But what is the ground on which the Prime Minister based this act of the Executive Government? Mr. Gladstone says—

> "What we have done is this; we have acted upon the principle which we have invariably recommended to every other country in Europe; we have acted upon the principle which every truly civilized country in the 19th century has never hesitated to act upon, and that is that a political crime, when it has ceased to be dangerous, and when suffering has been undergone, should be treated with the utmost leniency."—[3 *Hansard*, cciv. 1181.]

If I were to complain of a certain vagueness in the expressions used in this passage it would be only repeating what is often said with regard to statements coming from the same source. What is the meaning of the term "undergone suffering?" Does it mean imprisonment for one, two, or three years, or imprisonment for life? And what is meant by "treated with the utmost leniency?" Does it mean commutation of the sentence of imprisonment or absolute release, with an outfit of clothes and a supply of money? But let us consider the advice which it has been our habit to render to other countries. There have been and, I believe, are countries in Europe where, according to their system of laws, it has been in the power of the Executive Government to imprison offenders without bringing them to trial; there have been other countries where it is in the power of the Executive to conduct those trials in a manner entirely at variance with our ideas of justice to the prisoner; and there are some countries which include in the catalogue of political offences acts which we do not regard as criminal, and which have for political offences a scale of punishment which any of us would regard as entirely excessive. I believe it has been the case that, when we have found countries so circumstanced dealing with political prisoners in a manner different from that in which we should deal with them ourselves, we have interfered to remonstrate, and to solicit some remission of sentence or some speedy trial. In doing so we have been quite right; but I do not believe we have gone further than that. If we have gone further, and in dealing with a constitutional Government like our own, with a system of laws as wide as ours, and fixed principles for conducting the trial and punishment of offenders, we had interfered to deprecate the severity of the punishment inflicted, we have overstepped our duty. The true principle is this—We should not eliminate from our criminal law all offences which ought properly to be found there under the head of political offences or under any other head; we should take care that our system of law provides most speedy and fair trial of those charged with the offence contained in it; we should take care that our punishments are not excessive—and our course for years past has been to diminish the severity of punishments; but when we have done all that, I maintain it is of the essence of a good and wholesome system for the administration of law to maintain the certainty of the law—to insist upon the certainty of the law and the certainty of the execution of the punishments when once pronounced. Now, my Lords, I would assume for a moment that the persons of whom we are speaking are political prisoners, and I would ask your Lordships to consider for a moment whether, upon the principles laid down by the Prime Minister, the release of these prisoners was a politic or reasonable act. Had the dangers represented by these prisoners passed away at the time of their release? Was there no danger to be apprehended from the prisoners themselves? I answer that question by calling your Lordships' attention to a fact which the noble Lord relied on who has just sat down (Lord Dufferin). These prisoners were not pardoned unconditionally — they were obliged to leave the country; and if no danger was to be apprehended from their liberation why was that condition imposed? I will, in further illustration of this point, take a description of these prisoners from the noble Earl opposite (Earl Granville). Two years ago, on the 18th of March, 1869, a conversation arose in this House upon the release of the Fenian prisoners who were at that time liberated, and the noble Earl described the condition of those who were detained in these words—

> "The Irish Government made repeated scrutinies into every single case, and there were three classes of offenders whom from the first they determined not to release—the criminal, if I may so distinguish them, as against the purely political offenders—the class which comprised those who were known to be habitual conspirators, and those who, from their energy or talents, as soldiers or men of letters, might, if released, prove a source of danger in the present dormant state of Fenianism."—[3 *Hansard*, cxciv. 1638.]

That was the description given two years ago of persons from whom it is now said no danger can be apprehended. But I will go further. We have had a still more recent description of these persons from the Prime Minister, in a reply to Mr. Moylan, of the Canadian Government Emigration Office in Dublin, who addressed a letter to the right hon. Gentleman, by way of remonstrance on behalf of Canada, in relation to the liberation of the Fenian prisoners, cramped, as that act of grace is, with the condition of exile. The following is Mr. Gladstone's reply:—

> "10, Downing Street, Whitehall,
> "December 22.
>
> "Sir,—I am directed by Mr. Gladstone to acknowledge the receipt of your letter of the 19th inst., which he has read with attention. Mr. Gladstone has every confidence in the motive which dictated it, but does not consider that Her Majesty's Government would be responsible for allowing persons, of whose future obedience they have no assurance whatever, to remain in the midst of the community whom they had sought, and probably would seek again, to disturb.
>
> "I am, Sir, your obedient servant,
> "J. G. Moylan, Esq. ALGERNON WEST."

Therefore, as to there being an absence of danger, as far as the character of the persons released is concerned, we have the authority of the Prime Minister that they are dangerous persons, and that the Government had no information which could lead them to believe in their future obedience to the law. But where were these men sent? They were sent to the United States. You remember the history of the Fenian insurrection, and I ask, where was our greatest danger to be looked for? It was not so much in this country, because here these persons were under the control of the law; but the place which was the greatest source of danger was to be found across the Atlantic, where Irishmen, as the centres of the movement, were conducting machinery which was developing itself in Ireland. Therefore, as regards the persons released, I do not think it can be said that they were set at liberty because no danger could be apprehended from them. I do not go into the mode and form of their release. The noble Earl who spoke first (Earl Grey) has reminded your Lordships, with great justice, that if the prisoners were to have their release they could hardly have had it in a more inconvenient and unhappy way. They were released and sent out in a body to that place where it was known they had thousands and hundreds of thousands of sympathizers. They were sent out in a sort of state, and it was the mere accident of the delay of a week which prevented the occurrence of their being in the same ship which carried out the noble Earl the President of the Council, and the other Commissioners; in which case—if he had found himself along with those gentlemen in the steamer which carried them across the Atlantic—one reception at Washington and one triumphant meeting at Brooklyn would have sufficed. As to the danger to the country, let me ask your Lordships to go back a few months, because here, again, I do not want any further information than that which I have from the Prime Minister himself. Exactly 12 months ago, the Government introduced into the House of Commons a measure for the better preservation of the peace in Ireland, on the ground of the state of three counties —Meath, Westmeath, and Mayo—not, observe, their state as regarded Fenianism, but with respect to the Riband conspiracy, which the noble Lord who has preceded me has said is so entirely distinct from Fenianism. It was upon the ground of the Riband conspiracy in these three counties that the Peace Preservation Bill was brought in. And I remember that when it was suggested that the county of Tipperary was not in a healthy condition, the Chief Secretary said he only sought for powers on the ground of the state of those three particular counties. I may remind your Lordships that we have heard of three counties being now in a similar condition as regards the prevalence of the Riband conspiracy. Mayo has been dropped out, but King's County has been put in. But, passing by that, what was the statement of the Prime Minister? On the same night that the Peace Preservation Bill was brought into the House of Commons, Mr. Gladstone had to answer the application which was then made for the release of the Fenian prisoners, and he said—

> "The hon. Member asks whether we think the time has now come when the amnesty which was partially conceded not by an arbitrary choice, but upon particular grounds of selection, somewhat more than 12 months ago, may be extended to the whole of the political prisoners taken up in Ireland. I am sorry to say that my answer must be most repugnant to my inclination; but, at the same time, most imperatively imposed by duty. I must point to the state of Ireland, where we are engaged in what I hope is materially and morally important remedial legislation, but are compelled to interrupt this beneficent, and, at all events, well-intended process, by a Motion which will presently be submitted by my right hon. Friend (Mr. Chichester Fortescue) for special powers with a view to the security of life and property in Ireland. I do not think it would be possible for us to announce in this House, or to hold out elsewhere, any hope whatever that it would be consistent with our duty to open the doors of the prison on behalf of those prisoners, until we can see a different and better state of things in Ireland. . . . . It would be cruel to encourage the friends of these prisoners to cherish any hopes whatever with regard to their release, until we are able to see a state of things in Ireland when Her Majesty's peaceable and well-conducted subjects may be enabled to pursue the ordinary avocations of life with that degree of comfort and confidence which is the best test and criterion of a civilized and a Christian country."—[3 *Hansard*, cc. 80.]

This was 12 months ago, at the time when the only disturbed districts of Ireland were said to be the three counties I have mentioned, and the only disturbance complained of was their connection with the Riband conspiracy. I ask your Lordships—What is the difference between the danger that now prevails and that which prevailed 12 months ago? What is the state of things in Ireland now? I am sure your Lordships were pleased to be told in Her Majesty's most gracious Speech that the state of Ireland was peaceful and satisfactory, and that if there was an exception to that general condition, it was a spot so isolated that—we might gather from the tone of the Speech—it was scarcely worth referring to. We were told that all Ireland needed was repose, and that no measure was intended to be brought forward regarding Ireland which could provoke controversy or animosity. Unfortunately, we have received very different information since that Speech was pronounced in this House. I do not intend to enter into any statistical examination of the number of offences in Ireland; neither do I wish to enter into any controversy as to the effect that may be expected from the legislation of the last two years. The noble Lord (Lord Dufferin) said what was very fair when he remarked that even those who were opposed to these measures must admit that the time had hardly come for us to judge of what their operation would be. He also said they had succeeded beyond his expectations. But when I remember that the noble Lord told us last year, in words of great eloquence and solemnity, that he expected the reverse from the passing of the Land Bill, I do not think the success beyond his expectations manifests, on the whole, a great result from that measure.

LORD DUFFERIN: I beg pardon for interrupting my noble and learned Friend, but I must emphatically say that was not the effect of my speech. If my noble and learned Friend did not hear my remarks, I will send him a copy of my speech.

LORD CAIRNS: My noble Friend need not send me a copy of his speech, for I heard it with the greatest pleasure. I do not pretend to remember or to quote the words; but it certainly left in my mind the impression that the noble Lord performed somewhat the reverse of the part of the prophet in the Old Testament—he was brought to bless the Bill, but he ended by cursing it altogether. However, I will not go into that which is debateable ground, nor will I occupy time in canvassing the two reasons which the noble Lord assigned in proof of the improved condition of Ireland at the present day. Those two proofs seemed to me to be singular ones. The first was that the Commander-in-Chief of the Forces in Ireland was able to spend the greater part of his time in London; the second was that the Government intends to call out the Militia regiments in Ireland. The first is, no doubt, a matter of fact; the other is only the intention of the Government, and we shall be better able to judge of that by its result, whatever that may be. I will turn to things as to which there can be no dispute, and which cannot give rise to controversy. But before I do so, allow me to ask your Lordships to bear in mind two reflections with regard to the condition of Ireland, which all who are acquainted with that country will know to be well-founded. In the first place, mere numerical calculations as to the number of crimes in particular districts of Ireland are by no means a complete test, but are very frequently an entirely fallacious one of the state of the country. If it be the case, as the Government have announced, that there is a conspiracy in a particular district of Ireland affecting life and property—a conspiracy against law and order, and one which seeks to substitute rules of its own for the laws of the country—the absence of crime in that district may indicate nothing but the complete and perfect triumph of the conspiracy. It is when a conspiracy seeking to assert its own rules, comes into collision with those who have not succumbed to its power, and when the latter appeal to and insist upon the law of the country that crimes occur; and, therefore, crime is or may be a proof that the conspiracy is not so triumphant as it would be if no crime occurred. Another observation to be borne in mind is this—very great emphasis is laid by Members of the Government upon the isolated spots in Ireland where they think the conspiracy exists. I do not think a greater mistake can be made. The Riband conspiracy is not a local organization—it is general throughout the country—it crops out and makes itself known for particular reasons in this place or that; but those who are acquainted with Ireland know perfectly well that almost as a universal rule the perpetrators of Riband outrages are not persons who live on the spot where the outrage occurs, but are brought from a distance, and that circumstance shows that the conspiracy has ramifications throughout the country and has the command of agents in all parts. What is the state of the country? I will refer shortly to the state of Westmeath—but I am greatly afraid that it is not by any means in Westmeath and Meath and King's County only that outrages are occurring. What do we read in the newspapers? I find that on Tuesday night, in Tipperary, five men attacked the house of Mr. Howes, a resident in the district, and fired five or six shots into the house, fortunately without injuring any of the inmates. The next day, in Donegal, a steward was shot dead. Only the other evening the President of the Board of Trade, till recently Chief Secretary to the Lord Lieutenant, stated officially that Ireland never was more contented, never more tranquil than at the present moment. But at the very time that he was speaking, the house of a tenant of one of your Lordships in the County Clare was attacked by an armed party. Fortunately they did not succeed in committing murder. But in the County Limerick, at the same hour, the steward of Mr. Conyers was shot dead. This was at 7 o'clock in the evening—the very moment that the

President of the Board of Trade was speaking in the House of Commons. Let me refer to the County Mayo. I do not know whether your Lordships read in the newspapers the history of what occurred in that county; but I confess it impressed my mind with deeper feelings of pain than anything else which I have perused with regard to the state of Ireland for many months. At Foxford, in the county of Mayo, there was a man whose name was Davis; he seems to have been a respectable peasant, having a servant in his house, and living with his wife and children. It was night time, and he was in bed; his wife was sitting by the bedside nursing a child. A shot was fired through the window which fatally wounded him in bed; he raised himself up and showed his wife that he was shot, and she was so paralyzed with fear, that she was unable to give the alarm till next morning. After a couple of days the poor man died, and a coroner's inquest was held. I will read to your Lordships what we find as to the proceedings in the leading London newspaper—

> "Sixteen of the jury returned a verdict that the deceased was killed by the accidental discharge of his own gun. There were joyous demonstrations in Foxford when the verdict became known, and it is stated that some friends of the man who was shot were warned to return home as quickly as possible, as violence was apprehended from the populace. Satisfaction is felt in the district at the verdict. Had it been one of wilful murder, as was expected, a tax would have been levied to compensate the family of the deceased."

What do your Lordships suppose was the evidence on which the jury proceeded? There was the evidence of the wife, who stated that she was in the room when her husband was shot; the evidence of the servant, who, hearing the shot, ran into the room and saw the window broken, which had not been broken before, through which the shot had entered; there was the evidence of a man who had been getting water from a well outside the house, who heard the shot and saw two men running rapidly away, men whom, of course, he did not know; and there was the evidence of the constable of police, who had found broken pieces of metal and glass scattered about the bed, who also found the gun of the deceased standing in its accustomed place, without any symptom of its having been discharged, and who, in fact, drew the charge from the gun upon the day of the inquest, and stated that he believed the gun to be at the time in exactly the same condition as it was on the night of the murder. Upon that evidence I blush to say that 16 men, with the widow and orphans before them, found that this man had come to his death by the accidental discharge of his own gun, lest the neighbourhood should have to compensate the orphans and the widow. That, be it observed, is away from the disturbed and disaffected part of the country; that is in the peaceable and calm and well-regulated part of Ireland. These things are done in the green tree; now let us see what is done in the dry. What does the Chief Justice Monaghan say at the assizes which are now going on in the county Westmeath? These are his words—

> "I feel it my duty to say, looking over the returns which have been furnished to me by the constabulary of the county, that the county is in that state that must be a source of annoyance and grief to everybody interested in its welfare. When I was last here it was in an unpleasant state; but I indulged in the hope that things would mend. I find now, on the contrary, things have got from bad to worse, and the very deplorable state the county is in it is almost impossible to conceive or to describe. One cannot wonder that it has engaged the attention of Her Majesty's Government, and I can only trust and hope that the proceedings that are now being taken in Parliament will result in devising measures that will be productive of improvement, and will afford some safety to the inhabitants of this county. In the list that is before me I find that in the months of November and December last two men were shot. One of the name of Dowling was shot, and died immediately from the results of the wound. A man named Waters, a police constable, was also shot. Another man of the name of Heney or Hyney was wounded and assaulted, which terminated with his death."

Then the Chief Justice goes on to describe other offences, which had not terminated fatally, but offences committed in the light of day, witnessed by scores of persons, without anyone being brought to justice for those crimes. I will pass from the Chief Justice, who, no doubt, was shocked by the state in which he found the county, and I will take the evidence of the Roman Catholic Bishop, who, from living in the county, is intimately acquainted with all the people. And what does Dr. Nulty say. He says—

> "Every man now fears that scores of assassins are secretly and stealthily lurking about in the very midst of us. The mystery in which they have shrouded themselves, and with which they have hitherto successfully concealed themselves,-

has spread terror and alarm among all classes of society. Every man is in terror for his life, and trembles for his safety."

And then the Roman Catholic Bishop goes on to say—what hardly shows a grateful spirit on the part of one in his position—that he thinks the Government a very weak and pusillanimous Government. Bad, however, as the state of the country is, according to the language of the Chief Justice in his Charge to the grand jury, I am sorry to say that the result of the assizes just held in that county seems to be even more alarming. For what do we find? I have taken four cases almost at random, and they show it to be utterly impossible to obtain a conviction in the district. Four men were indicted for attacking a corn mill, and assaulting a man who had taken a situation from which another had been dismissed. The prosecutor had identified all the prisoners at the petty sessions; but, when confronted with them at the assizes, said he did not know them, and they had to be discharged. A much worse case, I think, was one which your Lordships may have observed—that of Constable Supple, whom a man named Bray had tried to murder. The case proved to demonstration was this—Constable Supple was standing outside his barracks, beside the yard of the chapel, there being a wall between: a man fired at him from over the wall. Though wounded the constable was able to jump over the wall, and saw Bray making off. Bray again fired, but missed him; and the constable grappled with him, wrested the revolver from him, and threw him down. While struggling on the ground Bray pulled out another pistol and snapped it in his face, but it did not explode: the struggle continued for some time, and ultimately, the constable becoming exhausted, Bray got away—but I think it was one of the most manly endeavours to arrest a criminal that I ever heard of. But now observe. Bray was no stranger to the constable, who swore to him positively, and had known him for five years; they were face to face, at one time their faces almost touching each other, and he had seized him by the hair of his head. There was not the slightest doubt that he was the man who had tried to murder him. Not only that, but a labourer of Bray's had left Bray standing in the chapel yard shortly before the time of this occurrence. An attempt was made to prove an *alibi;* but it was no *alibi* at all. Somebody came forward, and said that they had seen Bray about the time of the attack, but not at any very great distance from the place. Moreover, the person had neither clock nor watch to tell him the time. The Judge evidently disregarded his evidence; nevertheless, the jury, after a few minutes deliberation, acquitted the prisoner. In the next case, in which a man was charged with breaking into a house and assaulting the inmates, an *alibi* was set up and the jury returned a verdict of "Not Guilty." And then occurs this remarkable circumstance—the Chief Justice cautioned the prisoner to be more careful in future, as the great probability was that if tried again he would not escape. In the case of Robert Black, who was indicted for firing at Mr. Blagrove, with intent to murder him, the jury disagreed. The prosecutor swore positively as to the identity of the prisoner, whose father held a farm from which he had been evicted. These cases, I contend, show a state of things which is even worse than that which would exist if those prisoners had not been apprehended at all. It is deplorable if, when they commit crimes, they cannot be arrested; but I believe it would be better for ten criminals to escape in that way than for one man, duly arrested and having had the crime clearly brought home to him, to escape either through sympathy or through fear on the part of the jurors. And this, my Lords, leads me to ask why the powers which were entrusted to the Government last year have not been exercised with regard to offences of this kind? One power, and a very valuable one, which was given them was to remove particular trials from the county which was the scene of the offence and to have the cases tried elsewhere. I want to know why the Government did not remove those trials to Dublin, where a proper jury might have been obtained, free from feelings, on the one hand, of sympathy, or, on the other, of fear. I venture to think the Government, from that point of view, have been chargeable with very great neglect in the manner in which these prosecutions have been conducted; and I therefore am justified in asking the Government what it is they now propose to do? From the records of the other House of Parliament, we are given to understand that a Committee has been appointed on the subject of the Riband conspiracy in a particular district in Ireland. I will not enter into what those same records tell us of the alterations which from time to time have been made in the proposals of that Committee—how it was at first to have been a Secret Committee, and to have suggested the best mode of remedying the condition of that country; those parts of the Motion, wisely or unwisely, have dropped out, and I will not discuss a matter which is more properly for the other House of Parliament. But now we understand that the matter is reduced simply to this—that a Committee of the other House has been appointed to inquire into the condition of this disturbed district of Ireland. Is that, I will ask, to be a substitute for legislation, or a prelude to legislation; or is it to supersede all legislation on the subject? Here is the view taken by a Member of the Government, who ought to be well informed on the subject—I mean the late Chief Secretary to the Lord Lieutenant, who is now President of the Board of Trade. Mr. Chichester Fortescue says—

> "It is perfectly well known in Ireland that we have succeeded beyond expectation, and almost beyond hope in improving the condition of the country, and that at no time within memory has Ireland been so prosperous, so calm ["Oh, oh!"] —I know what I am speaking of—I repeat, so prosperous, so calm, so confident of the future, so contented, so loyal as she is at the present moment."—[3 *Hansard*, cciv. 1020.]

No qualification, you will observe. The right hon. Gentleman went on—

> "Although I readily admit that the information so to be obtained will be of value to the Government, still I believe it will be of equal value to the House as enabling them to ascertain beyond dispute the facts and causes of this want of success, which, as I have said, has been limited and exceptional."—[*Ibid.* 1021.]

Therefore, according to him, the object of the inquiry is to show that although the Government have failed in their legislation with regard to Ireland, yet their failure has been most exceptional. And now let me direct your Lordships' attention to the opinions expressed by a legal Member of the Government. What does the Solicitor General for Ireland say?—

> "I do say that it would afford to me, and that it would afford to Her Majesty's Government, the greatest satisfaction if, as the result of the labours of the Committee, it should clearly appear that Westmeath may be safely left to the operation of the law as now existing. . . . When the facts are reported to the House, and the House and the Government have seen and considered them, whatever the Committee may then recommend—even if it should be legislation of the most penal character, or no legislation at all—the Government will bring an unbiassed judgment to bear upon the question, and will deal with it as they have dealt with all measures relating to Ireland, from a broad and statesmanlike point of view. And if it should be shown that no necessity for exceptional legislation exists, no one will be more gratified than the Members of Her Majesty's Government. They will rejoice if Westmeath can be safely left to yield to the same healing influences that have made themselves felt in all other parts of Ireland."—[*Ibid.* 1241-3.]

Well, judging from these declarations alone, I should have supposed that the Government were quite at sea; that they were equally prepared for legislation or no legislation; and that they had no opinion as to what the legislation ought to be; but I am bound to say that the expressions which fell from two other Members of Her Majesty's Government were more satisfactory. The present Chief Secretary for Ireland, after referring to his "painful dismay" at being obliged to introduce the subject, went on to say—

> "Now, if this state of things really exists—and it can be too readily proved—the Government say, and I say to the House, that it is an intolerable state of things. The Government are prepared to admit it, and we say that we are determined to apply to the House for a remedy. . . . We have no desire to ask the Committee to suggest a remedy. Upon the facts so established, as I believe they would be before a Committee, the Government will be prepared, as I have said before, to legislate. The Government think the state of things intolerable, and a remedy they are determined to find, if not within, then without, the ordinary limits of the Constitution."—[*Ibid.* 995-8.]

That is a declaration of the most explicit kind on the part of the Chief Secretary for Ireland, and I have not a word to say against it. Neither is there much exception to be taken to the view of the Prime Minister, who says—

> "I, for one, am not prepared to allow, and my Colleagues have at no time asserted, that the state of Westmeath at this moment, taken all in all, is worse than it has been in any former years. We do not found ourselves on that allegation. I will not, even for myself, presume to say that it is worse than it was 12 months ago. But we do say that the state of Ireland, and of the Government of Ireland, is, and has been—I am speaking of the Executive Government—necessarily in many respects defective and even deplorable. The Government have been obliged to wink at a state of crime or intimidation which, in well-governed countries, is intolerable. . . . It is not so much because we assert that the state of Westmeath is now worse than in former times that we propose a Committee

of Inquiry; but it is because we think that the state of Westmeath is a disgrace to a civilized country, that we are of opinion its condition demands the attention of Parliament. . . . But, independently of that, there is another matter which we should wish to examine by aid of the Committee, and that is, how have the Government used the powers given them under the Peace Preservation Act? Seeing that Parliament last year entrusted us with large stringent powers, and seeing that we declare that still more stringent powers are required in reference to the state of Westmeath, is it not right that the House of Commons should inquire whether or not we have neglected properly to use the powers given us?"—[*Ibid.* 1192-4.]

From these declarations I gather the following conclusions:—that the Government find in Ireland a state of things which is described as intolerable; that the Government are obliged to wink at a system of crime and intimidation; and that they may, perhaps, ask Parliament for further and more stringent powers. But when are they going to do that? Do they mean to wait for the termination of the inquiry by the Committee? And what is the Committee to do? Is it to take evidence? Why, whatever evidence can be procured from members of the police, from magistrates, and from civilians who are in office the Government are already possessed of. They have at the present moment the means of examining all the evidence which from these sources can be obtained. Besides, the Government in Dublin Castle possesses secret information which they could not disclose, and which it would be their duty not to disclose to a Committee of the House of Commons, for the simple reason that the disclosures of the information would defeat the object for which it was given. Under the Act passed last year, and by means of the stipendiary magistrates, the Government possess powers more stringent than was ever before given to the Executive in this country. When an outrage occurs, and even before anyone is accused, the magistrates are empowered to summon any or every person in their district, to examine such person or persons on oath with reference to all subjects connected with the outrage, and to commit them to prison if they refuse to answer. These are powers which a Committee of the House of Commons cannot have; and, therefore, for the Government to say that they are waiting to obtain information is to make a suggestion which will not bear examination for a single moment. Is it an answer to people who reside in these unfortunate districts, and who are in the state which Dr. Nulty and the Government describe, to say—"You must wait one, two, or three months, or perhaps till nearly the end of the Session, before we can venture to propose any legislation to Parliament?" Then it must be borne in mind that there are some Members of Parliament who do not think any legislation of this kind is necessary, and they, of course, will endeavour to prolong the investigation. Therefore the Government will be confronted with a rival movement in the Committee, which will lead to a prolonged inquiry, with a view to procure evidence which, after all, the Government does not want. I have now to ask your Lordships to consider the effect upon this Riband conspiracy and on the disturbances in this particular part of the country, of the doctrine which the Government has manifested by the release of the Fenian prisoners. We have heard a great deal to-night of the distinction between Fenianism and Ribandism. Well, I have no doubt there is a difference in the details of organization; but both Fenianism and Ribandism are organizations having for their object the overthrow of our rule and of our laws, and the substitution for them of the laws and rule of the organization itself. I have often heard it said that the two cannot be the same, because when Fenianism prevails Ribandism droops down to a minimum. I have no doubt of the fact; but I take it to be a proof that the two societies are cognate and allied. Fenianism is the larger organization of the two, and when it is in the ascendant Ribandism falls into abeyance, as it were; but only to be resuscitated and to rise in fuller vigour again after Fenianism has disappeared. Lord Hartington said in the speech to which I have referred that the origin of Ribandism was political, and Dr. Nulty said very much the same thing. The original object of the organization was to bring about a change in laws considered at the time to be injurious to Ireland. Now, if this were its original character, remember what a tendency there is in Ireland always to elevate crime into politics, and to convert every criminal, if possible, into a political martyr. The other day I noticed a statement that when one of the released Fenian prisoners was bidding farewell to his friends at Cork, he said—"I am going to America, but I have one consolation. The Prime Minister has admitted that all the good legislation for Ireland is owing to the Fenians." I do not know whether he was referring to any particular expression of the Prime Minister, or to the current of the speeches of the right hon. Gentleman—but the observation is important as showing the way in which people in Ireland reason in these matters. The noble Earl (Earl Grey) spoke of the "National Party"—God forbid I should suggest that the National Party are Fenians; but what I would call attention to is this—that crime is committed in order to attain a political object, and in that way it becomes a political crime. It seems to be assumed that if a political criminal becomes a political prisoner, he must be treated, as the Fenians were, with the utmost consideration. Hence these men say "Let us take the strongest steps we can to oppose English rule; our first chance will be the grand jury won't find a true bill; our second chance will be a jury won't agree to convict; if we miss both these chances, we shall be convicted, and we shall become political prisoners. But Mr. Gladstone says we must be treated with the utmost leniency while in prison; and in a short time we shall receive an outfit, and, with a supply of money in our pockets, we shall be put on board a first-class steamer and sent to the United States, where we shall be received with acclamations by the populace, thanked by the House of Representatives, and interviewed by the Press. After all, it is not so bad a career, and we will at once engage in it." I ask the Government, in all sober seriousness, what is the course they mean to take in regard to legislation for these disturbed districts? Parliament is ready to give them all the power they require. I only lament that the power they possess and the power that may be conceded to them may be found to be so much weakened by the acts of the Executive which are the subject of the present notice.

The LORD CHANCELLOR: My Lords, my noble and learned Friend (Lord Cairns) has undoubtedly evinced the greatest rhetorical talent in passing "from grave to gay, from lively to severe"—by placing in juxtaposition two subjects which are essentially different, with the view of throwing upon the course which has been taken with regard to one set of political prisoners that degree of obloquy which would naturally attach to similar leniency adopted towards those guilty of the crimes instigated by Riband associations. I shall not attempt to rival my noble and learned Friend's humorous description of the voyage of the liberated prisoners to America, in a steamer possibly conveying one of Her Majesty's Ministers, for I think the subject is really a very grave one. I entirely sympathize with the feelings of the noble Lord who introduced the subject (Earl Grey)—it deserves the gravest discussion; but the two classes of crimes referred to ought to be entirely separated in argument as they are in fact. No doubt, it was a dexterous move on the part of my noble and learned Friend to tack on to the Motion of the noble Earl a question which intimates a species of connection between Ribandism and Fenianism, which is so wholly imaginary that it could be scarcely attempted otherwise than as a rhetorical juxtaposition: in attempting to connect the two he signally failed. I will advert for a few moments to the release of the Fenian prisoners. My noble and learned Friend, at the outset of his speech, assumed that the Government are on the look-out for a policy, and that they ought to be thankful for any assistance which discussion may afford them, and thereupon my noble and learned Friend himself volunteered argument and evidence on the subject of the Riband conspiracy. It is not difficult to state exactly the course the Government propose to take; indeed, I thought it had been sufficiently expounded in that discussion "elsewhere" from which he made quotations. With regard to Fenianism, the Government found prevailing in Ireland a tranquillity which might be called all but absolute. They found a great improvement in general feeling towards the Union with England and towards the Government, which they attributed to the good impression produced by the legislation of the last two years. But, as stated in the Queen's Speech, there existed in a certain part of Ireland, as there has existed for 40 years, a system of Ribandism that forces itself on the attention of the Government, now that remedial legislation has eliminated discontent, and the exercise of exceptional powers has extinguished Fenianism. Last year separation from this country was advocated by the organs of the Fenians in no measured and gentle terms, and a main object of exceptional legislation was to meet this evil. Incidentally, it would affect other secret societies and other forms of violence besides those of Fenian origin; but these being got rid of, it found there was a remainder of a spirit of insubordination, which has existed for a long time in a particular part of Ireland, and which has not been eradicated. It became the duty of the Government to make full and complete inquiry as to the character of these Riband associations, and to consider the best remedy to be applied. But this is an evil which has existed nearly for a century, and has engaged the attention and foiled the efforts of every successive Administration. Last year large powers were granted to the Irish Executive; but it was found they were not sufficient to deal with this evil—though they bore excellent fruit in that thorough suppression of Fenianism which, no doubt, was mainly due to them. What, then, became the duty of the Government? It is certainly a proper question to ask—Have you used the powers with which the Legislature intrusted you? It is right this question should be answered before new powers are applied for. The Committee to be appointed will very properly inquire whether these powers have been exercised; if so, with what result, and in what respect they have been found deficient. They will also inquire into the extent of the evil, and whether it is limited to a certain district, or whether, as the noble and learned Lord seems to think, we are in error in supposing it is confined within certain limits. The noble and learned Lord has taunted the Government with their original intention of making the Committee a secret one; and with asking for its advice. But he also said that these points had been raised and discussed in the other House. My Lords, they were raised, and the taunt was triumphantly answered by the majority in favour of the appointment of the Committee; by a Resolution conformable to that which was explained to have been from the first the intention. It was not the intention of the Government to ask the Committee for any special directions to govern them with regard to the course of legislation. They ask the Committee to sift to the bottom the existing condition of Ribandism, but they reserve to themselves the full power, immediately when it is thought necessary, and without waiting for further inquiry, if new circumstances should arise to render it necessary, to apply at once to Parliament for measures of a remedial character. We are in no way fettered by the inquiry, and in no way bound to wait for it. On the other hand, assuming the evil to be limited, as we believe it to be, we do not think it right to ask immediately for those measures of which we do not perceive necessity so urgent as to prevent due inquiry. It is probable the result of the inquiry will be that the Government will ask for such powers in excess of those granted on a former occasion as shall, in their judgment, be absolutely necessary to meet the occasion. So far, the Riband question may be considered as being separate from Fenianism and Fenian prisoners. Ribandism is so entirely antagonistic to the principle of Fenianism that my noble and learned Friend's laboured attempt to connect the two was, in the state of facts, an entire failure. It is not only that where Fenianism has prevailed Ribandism has not prevailed; but it is well known that the Riband conspiracy is of a totally different character from Fenianism—not directed to any change in the Government, and not seeking foreign aid to accomplish it, but confined to one special object, an alteration of the law with regard to the occupation of land, which has now become no longer a desire on the part of the large mass of the people of Ireland, who are well content with the measures that have been passed on that subject, but which still remains a fixed idea with those who have been bred up to it from infancy, and who, as members of the Riband association, have taken strong vows and religious obligations of a specific character. Those who belong to the Fenian organization, on the other hand, take no oaths. There is no religious element associated with it. My Lords, I now come to a much graver question—the exercise of the Royal clemency in the case of the Fenian prisoners. My noble and learned Friend (Lord Cairns) laid down certain principles which are correct as far as they go—that law should be certain, and punishment certain, speedy, and defined. No one will dispute these principles; but if they were not modified in practice, their mischievousness would be equally undeniable. The proposition is no doubt true in the abstract, but there is another proposition of equal truth—that punishment should never be excessive, so as to enlist the sympathy of the governed on the side of the offender rather than of the law. That is a principle of human nature which no wise statesmen will forget. Let me point out that, with regard to punishment, you had formerly the system of transportation, which afforded an adequate and far more convenient remedy than imprisonment. When you were driven back on imprisonment, you had to place these men in prison for a certain term of years. You could not sentence them to a life term of imprisonment; but the sentence must be for a considerable number of years. During that period, as years run on, the offence has passed by, the danger has passed by, the public forget all the alarm and distress occasioned by the conspiracy, and the tide of sympathy turns towards the offenders, and their sufferings are more remembered than their crimes—thus showing how essential it is that the prerogative of the Crown should be exercised, even at the risk of their being some outcry on the score of uncertainty of punishment. These persons had been placed in custody, they had been punished, they had suffered, their punishment was definite and certain; but when the tide begins to turn, and when, from the nature of the offence, there is no probability of its repetition, then is the time for exhibiting leniency and relieving them from their imprisonment. My noble and learned Friend asked—What is suffering? Does it consist in being sent out to America with new clothing, with money in pocket—in being made martyrs of, and fêted on arrival? But is that, I ask, a fair description of the facts? The crime of which these men were convicted was political. However mischievous, it was not of a sordid character—persons accused of political offences, bad as they may be, and great as the evils they may produce, are generally by comparison men of education, of high moral sensibility, and of good feeling towards those with whom they were not brought into immediate political antagonism. Are these men to be placed in the condition of common felons, thieves and murderers? ["Hear!"] The noble Duke cheers; but does he know of any country in the world which, within the last half-century, upholds consistently that doctrine? It has been tried in more countries than one, but abandoned. Austria tried it, and acquired a bad reputation for her treatment of political prisoners; but I am happy to say there is not at the present moment a single political prisoner in Austria. It is, I hold, simply a play upon words to speak of political offences and thefts and murders being placed in the same condition. When, therefore, you have fearlessly punished the political offences, you must take care that the just measure of punishment is not exceeded. This was the principle acted upon in 1849. Again, I say that imprisonment to men of education is a much severer punishment in every way than it is to the common felon, who often finds in prison that regular food and lodging which he never enjoyed when in freedom. The universal instinct of modern civilized nations draws a line of distinction between the two classes of offenders. Do we not all know a case in which an attempt was made to overthrow a great monarchy, and a homicide was committed in the course of it? Failure took place, and the author of the attempt was not executed, but he afterwards escaped, and attained the highest station in his country. His life was justly forfeited, and perhaps no one could have blamed the authorities if they had taken it; but they abstained. If we turn nearer home, I may remind your Lordships that this is not the first Government, or the only one, that has treated Irish political offenders with leniency. The noble Duke who now presides over the fortunes of his party in this House was, I believe, concerned in the liberation of four of the prisoners of 1849; and one of them, named Doran, was, if I am not mistaken, implicated in a homicide.

LORD CAIRNS said, that he had a list of the prisoners, and no charge of felony was associated with Doran's name.

THE LORD CHANCELLOR: You had the crime in its worst form in the Manchester case, where an unarmed man was murdered in a cowardly and atrocious manner. The guilty men were justly condemned to death. But, even in that case, processions were formed, and the name of martyr was very liberally applied—a degree of sympathy was excited in favour of the men. It was said you did not do this to get a purse; you did not rob or set fire to a house—you did it for a different purpose, for a public principle, however mistaken you may have been. And there were other persons who, though utterly opposed to Fenianism, and what is called the popular agitation in Ireland, made the conduct of the Government in the Manchester affair a subject of accusation on totally different grounds. To have invested these prisoners with a "sham" glory would have been ten times more mischievous in reproducing their offence than any course that could possibly have been adopted. I submit that we do not act wisely or justly in punishing men of education and refinement, guilty of political offences, beyond a certain stage when sufficient had been done to vindicate the law; and a continuance of the punishment is only calculated to turn the tide of sympathy in their favour, and ultimately to produce a state of feeling in the public mind ten times more mischievous in its effects than any amount of clemency the Government might show to such prisoners. The noble Earl (Earl Grey) said that the Government, before releasing those prisoners, should have exacted a promise from them that they would hereafter bear true allegiance to the Government, and then should have set them free to wander about the country. I think my noble Friend, as a statesman, would hesitate, if in office, to follow such a suggestion as that. If that had been done, instead of the sympathy with these men dying out, as it is now doing, it would have been revived by their reception at demonstrations and public dinners; and, if any one of them had happened to die, his funeral would probably have been attended by a vast mass of people to bear witness to his martyred dignity. It was surely far better to release them, and send them out to a place where any sympathy they might meet with would be very harmless. When the Irish vote ceases to be in question, you will find that these men will sink into the entire obscurity into which the large body of Fenians has sunk in America. The reception given to these men in America has been spoken of as something wholly novel and unprecedented; but at different times many refugees have come to England from other countries in which they might have been executed as rebels, and yet they obtained a hearty welcome here. I recollect that a noble Lord now no more (Lord Dudley Stuart), long the representative of a large metropolitan constituency, took a very active part in presiding over public meetings held to enable some of those refugees to tell their grievances. From Poland, Italy, Spain, France, and other countries political exiles have come to England—their own Governments, in many instances, with a wise clemency, conniving at their escape; and they have often been warmly received. The desire for the liberation of these Fenian prisoners was not, as has been stated, confined to their co-conspirators, but was evinced by persons in every class of society—some of them highly educated, and in a considerable position as to wealth, and who would suffer most severely if any attempt at insurrection were made, as was once anticipated. Men of every class were anxious that these prisoners should not be made martyrs of, but that they should be placed far from Ireland, and not allowed to return there. True wisdom, as my right hon. Friend at the head of the Government said, suggested that we should first seize them, treat them with severity, and make them suffer; and when their suffering has been such as to make the loyal part of the community think that they have endured enough, then to remove them from the society of those whom they have corrupted, and might again corrupt, to a place where they may be harmless, and where they may also be useful to themselves and their families if they will live a sober life; and thus to make them monuments not of your vindictiveness, but of your clemency, as well as of your justice.

THE DUKE OF SOMERSET said, he did not think that justice had been done to the leniency which had been shown to these Fenian prisoners by this country. Last May a complaint was made in the House of Commons that these political prisoners had been improperly and harshly treated. Well, a Commission was appointed, over which the Earl of Devon presided, to inquire into the truth of those complaints; and, after three months' investigation, the Commissioners reported that they had considered everything they could for the good of those prisoners, and all that they could find out in the way of harshness practised towards them was that hot rations had not been invariably issued to them for their Sunday's dinner. The Fenian prisoners should have received not only meat every day, but hot meat every Sunday—and cold rations had been occasionally substituted. The Commissioners also found that the tea supplied to them was not quite so good as it might be; not that the tea was of bad quality, but because it was kept too long in the cauldron before it was used. He believed that many of their Lordships at that moment were in a condition to appreciate the grievance of food being kept a little too long before it was used, and therefore they could sympathize with the Fenian prisoners. On the ground of that cruel treatment some wonderful speeches were made in "another place," exciting the minds of the Irish people on that subject. He wished the Irish people to know—in case there should be any more Fenian outbreaks, such as an attempt made to blow up Dublin Castle, or any other venial offence—that the guilty persons when imprisoned would be very well treated, and would always have hot roast beef on Sundays.

THE EARL OF DERBY: My Lords, in the very few words which I shall address to your Lordships, I hope I shall make the fullest allowance for the difficult position in which those are placed who have to administer affairs in Ireland. I do not complain that they have at all overrated or exaggerated that difficulty. On the contrary, I confess that I should have been very willing if, in the only speech delivered to-night from the Bench opposite, my noble Friend (Lord Dufferin) had recognized more completely than I think he did what I fear is the real gravity of the situation of affairs in that country. My noble Friend said that never was the political tranquillity of Ireland more undisturbed than it is now, that the very idea of a Fenian rising is ridiculous, and that, in fact, all danger and all apprehension on that score are at an end. Well, I should be very glad if I were able to take an equally rose-coloured view of the situation. I quite admit that there have been many times when the anti-English feeling in Ireland was more violent than it is at present, and many times when the surface of society was more disturbed; but I doubt if there ever was any time when that which lies at the bottom of the feeling against England—the desire for a separate nationality—was stronger or more deep-rooted than it is now in Ireland. Unfortunately, you have deprived yourself of the means of knowing what the strength of that feeling really is. The state of the Irish Press became such last year that the Executive had to appeal to Parliament to put upon it a restraint totally at variance with our ordinary practice; but nevertheless necessary under the circumstances. But that is a state of things which cannot last for ever. It is in the nature of the case a temporary expedient, and when it ceases you will have a recurrence of this treasonable writing. It is an inseparable inconvenience of what you have done, that you cannot really gather the state of feeling in Ireland, and you have not sufficient warning of what may occur. I will put it in another manner. Is there a public man in this or the other House of Parliament who would at the present time more than at any other time in the memory of man like to submit to a *plébiscite* the question whether the two countries should be separated? You know perfectly well you could not do it; you know that the lower classes would vote for separation. And I am sure that feeling would not be confined exclusively to the lower classes. The feeling cannot be ascribed to want of material prosperity, because never has the material condition of Ireland been more satisfactory than it is at present; it cannot be ascribed to a State Church, because that grievance has disappeared; you cannot ascribe it to unjust land laws, because if the laws are unjust in any direction they are certainly not unjust in the way of refusing any reasonable claim made by the tenant. The Legislature, by the Bill of last year, has put an end to every grievance on that score. I am afraid, my Lords, the cause lies deeper, and is one of a more enduring type. We cannot fail to see that ever since 1782—or rather, I should say, ever since the beginning of that movement which culminated in 1782—there has existed in Ireland a belief in an incompatibility of feeling between the two races, which leads the people of Ireland to desire independence. While that feeling exists, and while it is widely felt, I say that, whatever you may have done in the way of relieving the people of burdens, the Irish difficulty still remains, and the Irish problem is still unsolved. Look at the various classes in Ireland, and consider the attitude they bear towards this country. You have, indeed, with you the Protestant clergy; they are wealthy and energetic, but they are not, perhaps, in particular good humour at this moment, or disposed to feel very cordially towards the English Parliament; but, still, their interests are identical with ours, and they will come round in time. You have the Roman Catholic hierarchy, a great social and political power, to which great concessions have been made; but considering that the United Kingdom, of all countries in Europe, most emphatically opposes itself to ecclesiastical pretensions in any form, and insists upon ideas of social organization widely different from what we suppose the Roman Catholic hierarchy to maintain, we cannot look to the representatives of that power for cordial co-operation. I do not mean to say they are, as a body, in favour of separation, or endeavour to promote it by violent means—indeed, I believe they are thoroughly frightened by the power of the Fenian agitation; but I say your relation with them must necessarily be one rather of political calculation than of sympathy. The landlords of Ireland, though by no means satisfied with the measure passed by the British Legislature last year, are, I believe, generally speaking, warm friends to British connection. The middle classes, however, in Ireland, being unhappily, almost everywhere the centre of all political agitation, feel strongly interested in this question of separation, and they are ranked against you. Unhappily, that party in Ireland, which is everywhere the steadiest opponent to all agitation, whether political or religious, is neither numerous nor powerful; and if you come to the peasantry they have only two guides—the one, the priesthood, of whom I have spoken; the other, that Press which you have, at this time, put under restraint, and you know that restraint cannot be permanent. When I look at the situation generally, I see something painfully hostile to this country, and I see mere force on the other side. It is clear, my Lords, that, in the way of political conciliation, there is nothing more to be done—there is no other interest in the sister country to be satisfied. The one thing which so very large a proportion of the Irish people want is, unhappily, the one thing which it is utterly impossible for you to give them. They want nationality; they want, at least, legislative independence. A great deal of that marked hostility to law, traceable in the act of the Ribandman quite as much as in the act of the Fenian, is due not to the feeling that the laws are bad or unjust in themselves, but to the feeling that they are laws made for you and not made for them. If you ask me in what manner this should be met, I would say I see only one way. In the long run—though I admit it is often very long first — men give up schemes and ideas which protracted experience has taught them to be utterly impracticable. If you could once convince the Irish people that they might just as well sigh for the moon as ask for Repeal, then in the course of generations — I can hardly hope for it earlier—that longing might die out. But if you take that line, there should be no mistake either as to the policy or the language you hold. This is not a time, with this feeling to which I have alluded deeply felt and widely spread, when you can afford to allow yourself the gratification of branding those who are styled political offenders by exceptional denunciation. You have but to create in Ireland a feeling, not existing there now I am sorry to say, that rebellion, or attempt at rebellion, is a dangerous game for the individual who plays it, and a grave offence against society. You are dealing with a nation where, as we have had abundant proof, law is not respected, where order is not desired, where human life is not held sacred, and where the general sympathy of the population go with the assassin and not with the law. I say for that very reason, in dealing with these men as a class, you should punish them not in a spirit of undue severity, but certainly not in a spirit of exceptional leniency. The noble and learned Lord on the Woolsack argued this question at some length, and in the course of his remarks he said—"If you are too severe in your punishment of political offenders, you will defeat your end, because you will create a feeling of sympathy for the offender; whereas by more merciful dealing, you will have public sympathy with you." I accept that argument where it is applicable; but I do not believe it is applicable in a country where, to begin with, all popular sympathy is with the offender. The noble and learned Lord proposed to justify the course pursued by the Government in another way. He told us that when the punishment inflicted had produced a sufficient effect upon the country, the remainder of that punishment might be safely remitted. I take the liberty of dissenting altogether from that view. It is not very wise to say you will punish a man not for what he has done, not in proportion to the magnitude of his offence—but in consideration of the state of feeling which may exist among the people after the sentence has been passed. The noble and learned Lord has expressed sympathy for the political prisoners of foreign countries, and I should be quite prepared to justify such sympathy as a general rule. No doubt some Governments run to excess in dealing with political offenders; but the prisoners with whom the British people have always been so ready to sympathize have been men sentenced without trial, at the arbitrary will of the Executive, often for acts which we should not regard as offences at all. Now, we have to contend with the feeling that, although the British Government could not, for decency's sake, avoid giving the prisoners some punishment, still they pitied the offenders, and thought them persons deserving of great commiseration, and in whose favour much might be said, that they were persons not so much morally guilty, as that they were persons who had shown their patriotism in an indiscreet and undesirable manner. I know that many persons are inclined to take that view of political offences in general, though, of course, the term "political offences" is a very wide and vague one. Any man who undertakes to subvert a Government by means of armed force contemplates as a matter of course and as a necessary incident to the execution of his plan murder, or many murders, according to the resistance he meets. For my own part, I confess I do not see that the offence of murder is in any way expiated or lessened because the crime is committed in the prosecution of treason. If there is any sympathy at all to be shown, I confess mine would be given to those who are the innocent victims of attempts of this kind. Let us look at the state of things which exists. Take the case of any man who has made himself conspicuous on the loyal side; and in the streets of Cork, or perhaps of Dublin, his life is not worth a week's notice. Putting aside, however, this general question of the degree of demerit belonging to the political offenders, I think there is something peculiarly unfortunate in the circumstances of the release of these men. I have heard many people, on all sides of politics, say that what has been done during the last two years in the way of remedial legislation for Ireland has been done at such a time, under such circumstances, and in such a manner that the universal feeling in that country is that these concessions have been granted not as a matter of justice or policy, but as a matter of fear. The bulk of the Irish people maintain that if it had not been for Fenianism they never would have got rid of the Irish Church Establishment, and that if an agrarian war had not been carried on they never would have had a Land Bill passed. Though we may know perfectly well in our own consciences that the feeling of fear which they impute to us is entirely imaginary, still we cannot deny that there is an amount of plausibility in the statement that neither of these measures would probably have passed, or not so soon, had it not been for the continual direction of English attention to Irish affairs by the disturbances and disorders that were continually occurring. They argued from these premises—and not without some plausibility. They said—"Let us go on as we have begun; let us keep the game up a little longer; let us wait till we have rendered government in Ireland impossible; we have got a good deal, and by-and-by we shall get the rest." That is the feeling you have to dissipate if you can, and I think you can only do it by making them see that insurrection is regarded by the Legislature of this country as a serious crime, and one which will involve a heavy punishment. I have heard in discussions outside this House reference made to what occurred after the American Civil War. It is said—"Look at what the Americans have done after the gigantic struggle in which they were engaged during four years; they have ended with an almost complete amnesty." That argument would be good if the cases were parallel to any degree. But in America there had been a gigantic civil war, in which hundreds and thousands of lives had been sacrificed, and the whole country had been desolated. The American Government might very reasonably say that after the punishment which had been inflicted there was not the slightest danger that the attempt would be renewed. But we cannot say that heavy suffering or penalty has been inflicted upon or endured by the Fenian leaders or followers, and we cannot speak so confidently about their not renewing their attempts. As to the reception at Washington I say nothing, because, considering the great honour with which they were treated by our own Government, I do not admit that there is anything unfriendly in the House of Representatives having continued that courtesy and honour to them. In the next place, it is more a matter for them than for anybody else to judge what kind of company it suits them to keep; and if they are willing to give a similar measure of cordiality to the too numerous body of persons who issue from our gaols, they will help us very materially in solving the difficult and perplexing question—"What are we to do with our criminals?" I find no fault; but I regret the act of our Government, because we often see that those who spare themselves the pain of punishing—and pain it is—when punishment is necessary very often undergo it because they have to punish over and over again. I hope, rather than expect, that it will not be so in this case.

Lord O'HAGAN: My Lords, my only reason for rising to address your Lordships is a supposition that you would naturally expect someone to speak who has a personal acquaintance with the subject which is now under your consideration. The noble Earl who has just spoken (the Earl of Derby) has taken a disheartening view of the condition of Ireland; but to my mind it does not precisely bear upon the question before your Lordships at this moment. With reference to that view I shall only say this—assume that the feeling to which the noble Earl had referred does exist to a large extent in Ireland, the fact is —and I can say it with a perfect knowledge of the evidence—that that feeling which was heretofore exhibited in forms of sedition and violence, now, at least, if it continue to exist, has ceased to wear those forms. What the Government ought to do in the first instance is, I apprehend, to put down all external force, all resistance to the law; and when that has been accomplished, and when, whatever may be their view, the people proceed to assert it constitutionally and within the law, the Government has accomplished that which is much for the benefit of the country. And I say further that, when that has been accomplished, whatever may be your view as to the remaining feeling, which may not be dissipated all at once, you have advanced a great and an important step towards its extinction. And I shall say this only upon this part of the matter, before I approach what seems to me to be the real question in dispute—that it is a very disheartening view of the case to say that you are at the end of your remedial measures—that all the measures you have taken have produced no good result, and that you are to despair of the country with which you are connected. I confess I am of a different view. In 1782, 1798, and at various other periods of Irish history, we have read of Coercion Acts, Special Commissions, and abridgments of the liberty of the subject. Now we have begun to try the remedy of justice. It was time that that beginning should be made. I believe the experiment has actually succeeded as far as it could within the time; and if that experiment succeeds, and if justice is administered to Ireland as it never has been administered before, Irish nature is human nature, and justice will succeed in pacifying Ireland. It is not very long ago since the condition of things which has existed in Ireland prevailed to a more flagrant degree in Canada. You had in Canada those Catholic Bishops with peculiar views; you had Bishops on the other side with their peculiar views also; and you had a divided population in a state of open and flagrant rebellion. The country was dealt with in a certain way which the Imperial Government considered was necessary. Justice was done according to the views of the Canadians, and I believe that England has now no more loyal defenders. I do not see why that which was accomplished in Canada should not be accomplished in Ireland, and I for one do not despair. Let justice be tried, and completely tried, and I believe you will not be sorry for the experiment. There are two points which appear to me to be legitimate subjects of discussion in this House. The first is with reference to the question of the liberation of the political prisoners, and the next is my own convictions as to the condition of Ireland, and as to the measures to which so much reference has been made in the course of this discussion. I differ from my noble and learned Friend (Lord Cairns) as to the identity of Fenianism and Ribandism, because I know historically that the origin of one was wholly different from the origin of the other; and I know practically, from having had the conduct of affairs in Courts of Justice, that the nature and objects of the two organizations are absolutely different. Ribandism originally grew up in Ulster as a form of combination among the Roman Catholics to resist the combination of Orangemen upon the other side.

LORD CAIRNS was understood to say that Orangeism was itself an organization of defence.

LORD O'HAGAN: From that view I venture to differ. But no doubt there were hostile organizations—"Hearts of Oak" and "Hearts of Steel," and a number of other things—previously. Ribandism, however, originated in Ballymena, some time before the commencement of this century. The object of Ribandism is a social object—or, I should rather say, an anti-social object. But it has assumed, as all secret societies will assume, various forms at different times; at one period it has worked as a species of trade union, at another it has taken the form of agrarian combination; it has assumed all sorts of shapes for the purpose of influencing the better classes of society, and accomplishing the purposes of its abettors. Fenianism, on the other hand, is essentially a political combination for political purposes—framed expressly and exclusively for the purpose of separating the two countries, England from Ireland. Anyone familiar with Courts of Justice in Ireland must at once appreciate the difference. You cannot deal with one as you would with the other; you may even put down one without putting down the other. It is no very long time since, in the north of Ireland, in the neighbourhood of Newry, Fenian and Orange lodges actually came into collision, and fought it out like men in the open field. I give that as a matter happening within my own experience, and which I have on the best possible authority. As to the charges brought against the Government with reference to the liberation of the Fenian prisoners, I will not repeat the able and elaborate observations of my noble and learned Friend upon the Woolsack; but this I will say, that I know of no country in which civilized men have dealt with political prisoners, in which it has been found possible to maintain in its integrity and fulness the doctrine that if, on particular occasions, and under special circumstances, you allow a mitigation of punishment, you thereby interfere with the reasonable certainty of punishment. Every case must be dealt with on its own merits; and, in this case, you have to consider whether the Government had sufficient reason for the course which they adopted. Some of these men had undoubtedly been guilty of very grave offences, and of these the worst have not been released; others, who were enthusiasts—["Oh!"]—one or two of them were not I admit; but to the mass I think the term applies—have been liberated. And, although these men were guilty of treason—the highest crime on account of the evils which it brings in its train—they yet were enthusiasts, men who looked only to a political object, and were prepared to sacrifice themselves to its attainment. And when you come to consider this question in connection with their discharge, although they were men who forgot their duty to the Crown—although they forgot the absurdity of opposing and encountering the full power of this mighty Empire, and forgot that, within the Constitution and the law, the people of Ireland have the fullest opportunity of achieving everything which they can legitimately desire—still you must remember that these men had an object which was pure and good to them at the time, and in considering whether they are to be dealt with mercifully or hardly you must take this circumstance into account—otherwise it seems to me that you shock the common feelings of humanity. These people had been convicted in numbers and very heavily punished, and the result was a complete subsidence of seditious organization and a great peace in Ireland at the time.

Application was thereupon made to the Government to release these people. The Prime Minister, having at the beginning of last year two measures, admittedly of the highest importance, either in actual operation or in immediate prospect, said—"Let us observe what will occur within the next 12 months, and if during a certain period the condition of the country appears to be peaceable and quiet, I think it will be for the benefit of the country that an act of mercy should accompany the passing of great legislative Acts of such moment to the country." This occurred about April or May last year. Time passed on, and the country undoubtedly got into a better condition. With the exception of the black spot to which reference has been made, Ireland undoubtedly became exceedingly tranquil and quiet. Whatever sentiment may have continued to exist in the country, it undoubtedly did not continue to manifest itself in a seditious form. When that state of things had been brought about the Premier had to consider this question—Had the time arrived when these men might safely and beneficially be discharged? I need not repeat what has been said so often, that what we have done was in accordance with the ordinary custom of different countries of the world; beyond a doubt what has been done in this instance by the Cabinet has been done by France over and over again, by Austria repeatedly, and by America upon a late occasion. I am unable to understand the force of the argument used by the noble Earl who opened the debate (Earl Grey) and of the noble and learned Lord who followed (Lord Cairns) that it is proper to release men who have been engaged in open conflict, slaughtering their fellow-men, and burning and destroying all before them, as men must do who engage in civil war, and yet that it is wholly improper to release men who have committed no acts of open violence, however evil their intentions may have been. That argument does not appear to me to carry much weight or force. What was done in this case was done undoubtedly with the cordial consent and concurrence of the country most to be affected by the step. Beyond all question the policy of the Government in releasing these prisoners from detention was sustained by the great body of the Irish people. Anybody who read the Irish newspapers at the time must know that the step was not condemned by any important section of the Irish people; and that circumstance, which is perfectly and absolutely true, goes far to sustain the view of those who express approval of the conduct of the Government. Taking a low and merely utilitarian view of the matter, what was done was really a relief to Ireland. A nucleus of agitating disturbance had grown up in connection with the amnesty movement, and this was injurious in many ways. No doubt it may be said that what was done was, to some extent, a yielding to pressure; but, taking this step in connection with other matters, we believe that the yielding in this particular has resulted in very great advantage to the maintenance of the public peace. It is easy to say that one ought not to yield under any circumstances to combination or agitation; but when by doing a certain act you have a fair prospect of advancing the peace and prosperity of the country, the mere existence of agitation ought not to restrain you from doing what you would do under other circumstances. To take higher ground—when two great measures were being launched in Ireland, and you desired that they should become practical working measures, was it an undesirable thing to appeal to the generosity of the people, and to show that you were disposed to trust them? I believe that in the appeal to their generosity conveyed in this act of mercy you did a great deal to advance the peaceful solution of those troublesome questions which have formed so great a check upon the progress of the country. Much serious misconception, I think, exists as to the legislation of the last two years, and it is desirable that discussion upon them in this House should be carried on with an entire absence of party feeling. This is a question which ought to be discussed solely on its own merits; for however much the two great measures I have referred to were debated in their passage through Parliament, they have now become accomplished facts and have passed from the region of political discussion. It now becomes the duty of every man, however much he may have formerly battled about those measures, to say that they constitute part of the law of the land, and to endeavour to derive from them the greatest possible advantage to the general community. That, in my judgment, is true statesmanship and true patriotism. This being so, let us consider for a moment what has been said about the effect of those measures of concession. It has been asserted that the Church Bill has produced no effect on Irish crime; but surely it was never intended to operate in that particular way. Again, the Land Bill was never intended to operate upon those who were engaged in committing these offences—it was intended to draw together the farmers and the higher classes, and in that way to operate indirectly upon the lowest class of the community. In Ireland, as in other countries, public opinion descends from above to below; and if you can by such a measure induce habits of peace, order, and respect for law in the middle class you will eventually reduce to order and prosperity that low and debased class of wretches who are now perpetrating outrages in the county of Westmeath. I believe Ireland is in a better condition now than at almost any time within living memory. If you take the judicial statistics, and the charges of the Judges generally at the present Assizes, you will find—although there may be exceptions here and there—the mass of the counties in Ireland are in a healthy and prosperous condition. It was said by my noble and learned Friend (Lord Cairns) that Ribandism is not a local conspiracy; but I must beg to correct him on that point. There was an inquiry instituted in 1852 as to the state of the counties of Armagh, Louth, and Monaghan. These three counties were at that time exclusively the seat of Ribandism in Ireland. But there is no longer any trace of Ribandism there. It passed from county to county, and I believe that at this moment its head-quarters are in Westmeath, and portions of the neighbouring counties. Therefore, though I admit outrages have occurred in certain districts, I deny that there is any such thing as general outrage in Ireland. I will now revert for a moment to the great measures recently passed. First of all I may say that the Church Bill has been an infinitely more successful measure than could have been reasonably anticipated at the time it passed. It was natural to suppose that a sword would have been brought into the country and not peace; but I believe the measure has been accepted by all parties in a spirit of calmness, temperance, dignity, and moderation, and that it will tend to break down the barriers which have too long divided Irishmen. Then the Land Bill, which only came practically into operation in August last, is working fairly and well; and I believe there will be none of the difficulties which were anticipated while the measure was passing through Parliament. We must not, then, despair of Ireland. The country is in a transition state, and whatever may be the issue of the experiment, it is, at all events, worth trying. We are only beginning to make that experiment, and I would appeal to my noble Friend (Earl Grey) not to interrupt the progress which has already commenced. When the people of Ireland are saying that they believe what you have done for them will be of advantage to them, do not let us here or "elsewhere" tell them that it will be of none. I think it is a great duty of legislators, and of those who hold high positions in society, to encourage the peaceful revolution which is being wrought in Ireland. If it be allowed to proceed — if the people be taught by self-interest to respect the law —you will find them a loyal and a law-respecting people. In modern times loyalty is founded not merely upon sentiment, but upon substance. What makes people loyal is that they will derive advantage and protection from the Government and the institutions under which they live. As sure as you make them believe that they derive these advantages under the existing system, so surely will they cling to that system, and so surely will law prevail and peace exist in Ireland. If that be only done—if the experiment which has been made be allowed to proceed—you may hope to see falsified that prophecy which was recorded by Edmund Spenser long ago —that it seemed as if Ireland had been left by the Almighty to be a secret scourge to this country; you may hope to see the people of Ireland, contented by justice, and by fair and equitable laws, adding greater security to the Throne, and more and more manifesting a disposition to be comprehended in a consolidated British Empire.

THE DUKE OF RICHMOND: My Lords, I yield to no one in admiring the eloquent speech to which we have just listened; but the noble and learned Lord (Lord O'Hagan), while he began by saying that it was too early to look for beneficial results from recent legislation, closed by attributing to that legislation the condition of Ireland, and by expressing the hope that the experiment just begun would be allowed to proceed. That remark was unnecessary, because no one on this side has manifested any desire to interfere with that experiment, as he calls the passing of the two measures affecting the Church and land. But while the noble and learned Lord anticipated the greatest benefits from the Church Bill and the Land Bill, I, for my part, consider the former a most wanton destruction of the Irish branch of our Church, and the latter, one of the most revolutionary measures ever passed by this or any other Parliament. I listened in vain to the speeches made on the part of the Government for the special reasons which induced them to liberate the Fenian prisoners, and it was not until the Lord Chancellor for Ireland spoke that I learned that their release was a relief to the country, inasmuch as it terminated the agitation which had been got up for their release, and that in yielding to that agitation the Government found themselves extricated from a difficult position. But was it wise to yield, in opposition to the belief entertained that too much concession should not be made to agitation in Ireland? Agitation has taken a very wide range for many years, and I had hoped that we should not have heard agitation adduced on the part of the Government as a reason for releasing Fenian prisoners. The noble and learned Lord on the Woolsack told us that, as regarded Fenianism, there was absolute tranquillity in Ireland, and that the Government measures which have been passed during the last two years had pacified the country; but other authorities tell us it is too soon to look for the fruits of those measures. To my astonishment the noble and learned Lord on the Woolsack credited the Peace Preservation Act of last Session with some share in the extinction of Fenianism; but in introducing the measure in the other House Mr. Chichester Fortescue stated that it was designed to put an end to agrarian outrages in Meath, Westmeath, and Mayo; and the measure was passed through both Houses as one directed against agrarian outrages and not against Fenianism. Attempts have been made to distinguish between what are called political offenders and ordinary criminals. I confess I cannot draw the distinction in these cases. There is a distinction, no doubt; but unfortunately within the last few years there has been a very slight demarcation between political crime and ordinary crime. I am justified in making this remark, when I reflect that the political offenders have not stopped at any crime in order to gain their ends—they have not been deterred from perpetrating some of the most heinous and outrageous crimes. What description of crime do you call shooting the policeman at Manchester? Was that a political or an ordinary crime? No doubt it was murder, but it was in connection with the Fenian conspiracy. What was the crime of attempting to blow up Clerkenwell Prison, and involving in death, or injury, hundreds of persons who had no connection with Fenianism? Was that political or ordinary crime? What was the attempt to seize the arms stored in Chester Castle? What is the shooting of policemen in their barracks? Political and ordinary crime seem to be so mixed up that you cannot distinguish the one from the other. But I will go further and will ask what would have been the condition of Ireland and of this country if the Fenian movement had been successful? Would there not have been bloodshed all over Ireland? Was not its avowed object civil war against law, order, and government? If so, I cannot draw the distinction between political and ordinary crime that has been suggested. I cannot recognize the distinction in the type of one crime from that of another which has been alleged. The noble and learned Lord on the Woolsack holds that there is tranquillity in Ireland due to the absence of Fenianism; but the First Lord of the Treasury still thinks it may be dangerous. The noble and learned Lord who has just spoken referred to what was said by Mr. Gladstone last Session. I conclude that he referred to an answer given to the late Mr. Moore to the question whether he would grant a general amnesty. The answer has been already quoted to-night, but I will read it again to correct the misapprehension as to what Mr. Gladstone really did say. He said he could not hold out any encouragement to the expectation of the release of the Fenian prisoners until they were able to see a state of things in Ireland when Her Majesty's peaceful and well-conducted subjects might enjoy that degree of comfort and safety which is the best test and criterion of a civilized Christian country. Is that the state of Ireland now? Is that the condition of the "black spot," as the noble and learned Lord described it? Is that the state of Limerick, of Clare, of Tipperary, of Donegal, of Mayo? I apprehend not. Can the description of the right hon. Gentleman apply to a country in which crimes, such as the noble and learned Lord has referred to, can be committed with impunity? The crimes are bad enough, but the inability of the Government to procure any punishment for them is certainly no criterion of a civilized and Christian country. The noble Lord who spoke second (Lord Dufferin) took credit to the Government for calling out the Irish Militia; he stated, with some triumph, that the state of the country was such that the Government were justified in calling out the Militia, which had not been done for some time. Judging from what I have read in the newspapers I could not help feeling some surprise. I observe in the newspapers that in the county of Donegal, when a noble Lord holding a commission in the Militia was doing what he could to assist the recruiting for one of the regiments, which had not been so successful as he wished, he received a letter threatening that he should be shot if he continued his efforts. I do not think that an example of the benefit of calling out the Militia in Ireland. The fact is, the Government have played fast and loose with Ireland. Their system has been one of alternate indulgence and punishment. They first indulged the country with a Church Disestablishment Bill, and then came down to Parliament with the Peace Preservation Bill, which the late Chief Secretary for Ireland described as one of the most severe enactments that has been passed within the memory of man. The Land Bill followed—a measure, as I think, very revolutionary in its character; and having alternately passed these measures of concession and coercion, they now come down to the other House and ask for a Secret Committee of Inquiry into the state of part of Ireland, to know how they may govern it. The noble and learned Lord on the Woolsack tells us that parts of that proposition have been departed from; but why they have been departed from Her Majesty's Government can alone tell. If Ireland is in the condition described by the Prime Minister, who tells us it is "deplorable"—in the condition described by the Chief Secretary, who tells us it is "intolerable," the Government are bound to come forward with measures of their own, and not fall back on a Committee of the other House. The Government, on this occasion, have endeavoured to answer the speech of the noble Earl on the cross Bench (Earl Grey) with regard to the reasons for releasing the Fenian prisoners; but they have given no answer whatever to the question put by my noble and learned Friend (Lord Cairns). I wish Government had followed on this occasion of dealing with the "black spot" of Westmeath and the other counties, the doctrine laid down by the noble Earl the Secretary for the Colonies (the Earl of Kimberley) during last Session of Parliament, who, with reference to the Peace Preservation Bill, in the course of a very eloquent speech, used these words—

> "I think the House will admit that there is no duty more specially the province of the responsible Government of the Queen to determine than at what particular period it may be necessary to ask Parliament to pass measures of extraordinary coercion and repression."—[3 *Hansard*, cc. 817.]

My Lords, I entirely agree with the noble Earl in that. It is the duty of the Government to come forward and ask the House to pass those measures of coercion and repression that may be necessary to meet the present state of things. But I venture to say that the mode in which they have governed Ireland has not been successful. They have released these Fenian prisoners, and have sent them to a country where they can do us more harm than anywhere else. In assuming office the present Government also assumed that they were the only body of Gentlemen capable of dealing with the subject of Ireland. But is their policy one which is likely to succeed with a clever, keen, sharp-witted people like the Irish—they are not so easily deluded. They are taught that they have only to clamour loud enough and long enough to obtain what they desire; and that if, in the pursuit of their object, they should unfortunately wander out of the paths of ordinary crime, and roam into the regions of treason, they will still find themselves sheltered under the paternal shield of a Liberal Government.

THE EARL OF KIMBERLEY: I wish, my Lords, to say a very few words on this occasion. The noble Duke (the Duke of Richmond) has quoted some words of mine—and no doubt he quoted them accurately—with respect to the duty of the Government specially to determine at what period measures of coercion should be introduced into Parliament. Now I entirely adhere to that doctrine, and I believe the Government undertakes entirely the responsibility of determining when such measures should be brought forward; but at the same time they think they have a right to introduce them if they think proper after an inquiry by the other House. That, I apprehend, is not inconsistent with the doctrine I laid down in the extract quoted by the noble Duke. The noble Duke spoke as if the whole of Ireland was in a disturbed state; but I need hardly remind your Lordships that that statement is entirely unsupported by the facts; for the testimony that has been brought forward shows that, with the exception of one county, and two small portions of the adjoining counties, the country is decidedly improved. No doubt agrarian crimes have been committed; but it is not a fair inference to draw from occasional crimes of that kind that the general condition of the country is not improved. Whatever opinion your Lordships may entertain in regard to recent legislation for Ireland, all must admit that it is all important that those measures should have a fair trial; and never was it more important than it is now that you should be able to suppress those peculiar crimes which interfere with the well-working of such a measure as the Land Bill. Nor can anyone deny that such a state of things as now unhappily exists in Westmeath—even although I believe it is not so bad as it has been at some periods of Irish history—is peculiarly dangerous, because it interferes with that on which the future well-being of the country so much depends. What is the situation of Westmeath? It is placed in the very centre of Ireland; and I confess my own fear is that just as a small sore may extend by mortification until it involves the whole body, so the gangrene now prevalent in the county of Westmeath may, if not effectively dealt with, gradually spread into the other parts of the country. I know it may be said—"Then why does the Government not come down to Parliament at once and propose to apply a sufficient remedy to the evil?" Well, last Session we proposed a very severe Act, which was passed; and I am told it has failed in its effect in Westmeath, where the state of intimidation is most complete. It therefore, I think, becomes especially requisite that we should be able to bring forward all the facts, and examine all the evidence on the subject, in order that Parliament, if it should be called upon to adopt such measures as may be necessary, and such measures as, perhaps, were never adopted before, should understand fully the state of things with which it has to deal. I think that a great confusion of ideas exists when it is commonly said, as it is in this case, that the Government are called upon to deal with this Riband conspiracy, as they have been called upon to deal with other conspiracies before, by bringing in some such measure as the suspension of the Habeas Corpus Act to put it down. Now, in the case of political conspiracies, to which the remedy of a suspension of the Habeas Corpus Act has been applied, the Government, being aware that the conspiracy exists, and knowing that it may break out at any moment into rebellion, comes down and asks Parliament immediately to pass a measure to prevent the conspiracy so breaking out into rebellion. But the present is not such a case at all. I regret to say that the malady that now afflicts Westmeath is a chronic one, which has existed for a long course of years. This, therefore, is not a sudden emergency, calling upon us not to allow four-and-twenty hours to pass before we come down to ask for exceptional powers from Parliament; but the evil is one of long standing, and the measures requisite for dealing with it may be such as would have to be continued in force for a considerable length of time.

LORD STRATHNAIRN was understood to say that the very first proclamation issued by the Fenians, on the occasion of their rising, declared it to be necessary for the good of Ireland that the Duke of Leinster and the Marquess of Ormonde should be sacrificed and their property confiscated. The noble

Lord also related one or two instances which had come under his own observation, while in Ireland, to illustrate the cruelty and the intimidation practised by the Fenians.

House adjourned at Ten o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Thursday, 9*th March*, 1871.

MINUTES.]—Select Committee—East India Finance, *nominated;* Westmeath, &c. Unlawful Combinations, *nominated.*

Public Bills—*Ordered*—Game Laws Amendment (No. 2)*.

Second Reading—Army Regulation [39], *debate adjourned.*

Committee—Report—Marriage with a Deceased Wife's Sister [2]; Fairs* [60].

IRELAND—MR. DALY AND THE COMMISSION OF THE PEACE FOR DROGHEDA.—QUESTION.

Colonel STUART KNOX, before putting his Question, said, that certain words had been struck out of his Question since he gave Notice of it. He was not sorry for that, as he had been informed by a Friend that the retention of the words would have given offence to his right hon. Friend the President of the Board of Trade, which was the last thing he desired to do. His Question was to ask the Chief Secretary for Ireland, Whether he has thought it desirable to make any further inquiry into the appointment of Mr. Robert Bedford Daly, publican, holding a retail licence for the sale of beer and spirits, to the Commission of the Peace for the borough of Drogheda; whether it is true that up to the 1st of this month no application has been made to the Clerk of the Peace for that borough for the transfer of his licence by the said Robert Bedford Daly to any person; whether it is not necessary under the Acts of Parliament thereunto referring, that a publican's licence should be transferred before the Magistrates at Petit Sessions; and, if so, at what Sessions and before whom did the transfer take place; whether, if the alleged transfer did take place, the person to whom it was granted was Robert Bedford Daly, who by the parish registry appears to have arrived at the age of twenty-one years on the 19th December 1870; and, if so, if this individual is a near relative of the new Justice of the Peace; whether he is aware that the President of the Board of Trade was misinformed in regard to Mr. Robert Bedford Daly, viz. That Mr. Daly is not a publican and retail dealer in spirits and beer, that the Lord Lieutenant of the county recommended him for the Commission of the Peace three years ago, that the "Irish Times" newspaper withdrew the paragraph in reference to the appointment, and that they inserted a highly complimentary article; whether this Mr. Robert Bedford Daly is the same person who, at the Spring Assizes in 1866, had an action brought against him by one Thornton for work and labour performed, and money paid for hiring mobs at Mr. Whitworth's Election, and who lodged £15 in Court; and, whether, under all the circumstances, he is prepared to sustain the appointment of Mr. Robert Bedford Daly as a magistrate for the borough of Drogheda?

The Marquess of HARTINGTON, in reply, said, he had made further inquiries in reference to the appointment of Mr. Daly since the hon. and gallant Gentleman gave Notice of his Question, and he found that in all essential particulars his right hon. Friend the President of the Board of Trade was correctly informed when, in answer to a similar Question a fortnight ago, he said Mr. Daly was not a publican in the ordinary sense of the word. Mr. Daly had a large business as an auctioneer, and was also a member of a grocery firm carrying on an extensive business, in which was included a wholesale and retail wine and spirit trade, but this was managed entirely by Mr. Daly's partner. Mr. Daly was under some misapprehension in regard to the transfer of the licence. He took what he supposed to be the requisite steps, with a view to procuring the transfer; but it turned out that all the necessary formalities had not been executed, and the transfer had not been completed. The President of the Board of Trade was not misinformed when he said that the Lord Lieutenant of the county recommended Mr. Daly for the commission of the peace three years ago, and it was true that *The Irish Times* published a complimentary article in reference to the appointment. It was true that an action was brought against Mr. Daly by a person named Thornton; but the jury found no verdict. With regard to the Question as to whether he was prepared to sustain the appointment, he had only to repeat that, as the result of inquiries he had made, he agreed with the opinions of his right hon. Friend the President of the Board of Trade, that Mr. Daly was a fit person to receive the commission of the peace, and he believed the appointment had been received with very general support and favour by politicians on both sides in the borough.

FORTIFYING WINES IN BOND.

QUESTION.

Sir JAMES LAWRENCE asked Mr. Chancellor of the Exchequer, Whether 10 per cent of proof spirit is allowed to be mixed with wines in bond for the purpose of "fortifying;" whether the Board of Customs can allow and have allowed a greater proportion than 10 per cent of spirit to be mixed with wines; and, whether also it be true that during the years 1868, 1869, and 1870, numerous cases have occurred of persons receiving permission from the Board to mix with sherry and other wines in bond 15 per cent of spirit, amounting in quantity to 17 gallons of spirit to each butt of wine?

The CHANCELLOR of the EXCHEQUER: The duty of the Customs as to the fortifying of wines in bond is regulated by the State. It is necessary to distinguish between wines in bond intended to be imported into this country and wines meant for exportation. In the case of the former the Customs may, under the Act, permit them to be fortified to the extent of 10 degrees of proof, provided that the whole strength of the wine does not exceed 40 degrees. In regard to the latter, the Customs are allowed by the Act to go beyond the 10 degrees, if it shall appear to them to be necessary in order to prevent the wines fermenting on the voyage. Under these powers, wines meant to be exported are frequently allowed to be fortified three or four—or in some cases perhaps as much as five—degrees additionally. No limit is placed on the discretion of the Customs in the matter; but all that they do is in strict accordance with the powers conferred on them.

Sir JAMES LAWRENCE: I beg to give Notice that I will ask, Whether the Board of Customs also have equal powers over the trade to authorize the introduction of substances other than spirits, and whether special sanction cannot be obtained for adding ether and other chemical preparations to wines in bond, provided that the owners satisfied the Board of the necessity of such preparations to refine the wine?

COURTS OF JUSTICE AND APPEAL.

QUESTION.

Mr. HEADLAM asked the Secretary of State for the Home Department, When the Bills on the Courts of Justice and Appeal, mentioned in Her Majesty's most gracious Speech at the commencement of the Session, will be introduced; and, whether, if it be intended to introduce them into the other House of Parliament, they will be pressed forward without delay so as to give this House full time for the consideration of them?

Mr. BRUCE said, in reply, that the Bills were in a forward state of preparation, and it was the present intention of the Government that they should be introduced by the Attorney General at an early date; but that must depend upon the state of Public Business. He would promise, however, that if the Bills were introduced in the House of Lords, such progress should be made as would afford the House of Commons ample time to consider them.

IRELAND—EXTENSION OF THE POST OFFICE TELEGRAPH SYSTEM.

QUESTION.

Mr. KAVANAGH asked the Postmaster General, When we may expect to have the post office telegraph system extended to the different country post offices in Ireland; and whether it is intended that the town of Borris, in the county of Carlow, which is a money order office and a railway station, should have the benefit of that system?

Mr. MONSELL said, in reply, that in the course of about three months from 80 to 90 additional post-offices would be opened in Ireland, and that by the end of the year all the county towns and the larger villages would have telegraphic communication. As to the second Question, with regard to Borris, he was happy to inform the hon. Gentleman that telegraphic extension had been made to that town; but, at the present moment, the office of postmaster was vacant, the postmaster having been dismissed, and until the appointment of a postmaster the telegraph wires, of course, could not be put into use.

CLERKS OF CONVICT PRISONS.

QUESTION.

COLONEL GILPIN asked the Secretary to the Treasury, Upon what grounds the Treasury refused the payment of money voted by the House of Commons to the Clerks of Convict Prisons?

MR. BAXTER said, that the sum had been inserted in the Estimates without the sanction of the Treasury, and refusal of payment had been made because the Treasury was not satisfied with all the particulars of the account.

THE BALLOT.—QUESTION.

MR. PIM asked the Vice President of the Council, Whether the provision of the Elections (Parliamentary and Municipal) Bill, for taking the votes of the Electors by ballot, are intended to be applied to the election of Commissioners for Towns under the Local Government Act, and the Towns Improvement (Ireland) Act, or under private local Acts; and, if not, whether he will consider the propriety of extending the scope of his Bill so as to include all elections for Town Commissioners as well as Town Councillors?

MR. W. E. FORSTER: Sir, I think it will be scarcely possible to extend the scope of the Bill so as to include any elections except the Parliamentary and municipal ones. But I have little doubt that if the principle of the Ballot is—as I hope it will be—adopted in those elections, it will ultimately be extended to others.

CIVIL SERVICE COMMISSION—CLASSIFICATION OF PUBLIC OFFICES.

QUESTION.

SIR JOSEPH BAILEY asked the First Lord of the Treasury, With reference to the Order in Council of the 4th June last, and the recent announcement of the Civil Service Commissioners detailing the names of persons who had passed the preliminary examination to enable them to compete for appointments in the First and Second Class Public Offices, whether the Public Offices have yet been classified; and, if so, which offices it is proposed to include in the First and Second Class respectively: what steps have been taken towards carrying into effect the intention expressed in his speech of the 25th February 1870, of

> "re-organizing the several departments of the Public Service, with a view specially to the separation of duties which are mechanical and formal, from those duties which require high mental training;"

and, whether there will be any objection to laying upon the Table of the House any Correspondence which has passed between the Treasury, the Civil Service Commissioners, and the various public Departments on these subjects?

THE CHANCELLOR OF THE EXCHEQUER said, the hon. Baronet would allow him to answer, as these details fell rather under his eye than that of his right hon. Friend. The hon. Baronet had been led into an error with regard to the public offices. What the Civil Service Commissioners had done had been to recommend that the preliminary examinations should be divided into a first and a second class. Accordingly, the examinations were divided, one being a higher examination than the other. But there had been no intention to divide the public offices into a first and a second class, and, of course, he could give the hon. Baronet no information as to their division. As to carrying into effect the intention which had been expressed of re-organizing the Departments of the Public Service great progress had been made in that work, which was one of much time and much labour. The re-organization of a great many of the present Departments was completed; but the work was not yet finished, and when it was he should be very happy, in the most convenient form he could devise, to lay the result before the House, and he ventured to think it would be satisfactory to them. He could not produce the Correspondence between the Treasury and the different Departments, because it was entirely of a confidential nature.

TREATY OF PARIS (1856)—THE CONFERENCE.—QUESTION.

Mr. GLADSTONE: Sir, in conformity with the Notice which I gave on Tuesday, I wish to put a Question to my hon. Friend the Member for Chelsea, as to his intention with respect to the Motion which stands in his name for to-morrow relating to the Conference now sitting in London, or, rather, relating to the conduct of the Government in having agreed to the appointment of that Conference. I think it is right I should repeat what I then stated—that we have reason to anticipate a speedy conclusion of the labours of the Conference, and, what is more directly to the purpose—but it is entirely for my hon. Friend to judge what course he may think most consistent with his public duty, that we ought to inform the House beforehand that it will be impossible for us to state our views completely, and lay the matter in a satisfactory manner before the House during the time when the Conference is sitting, and its labours are unfinished. I have also to inform my hon. Friend and other Members of the House that they will have some difficulty in obtaining a day for the discussion of Motions; but, of course, if my hon. Friend tells us that he considers it his duty to propose a Vote of Censure on our conduct, so far as depends on us a day shall be found for bringing forward his Motion.

Sir CHARLES W. DILKE: Of course, in a matter of this importance, I am entirely in the hands of the House. The Question of the right hon. Gentleman is not strictly accurate. He states that my Motion relates to the Conference now sitting in London. My Motion relates to the conduct of the Government in having accepted that Conference. While the Conference was still sitting there were two discussions upon it, and the right hon. Gentleman has taken part in those discussions. At the same time, I am entirely in the hands of the House; and if it is thought that the subject will not suffer by being postponed for a short time, of course I do not object to a postponement.

THE NAVY ESTIMATES.—QUESTION.

Mr. CORRY asked the First Lord of the Admiralty, Whether he is aware that the Navy Estimates for the ensuing financial year do not bear the signature of the late First Lord of the Admiralty, but are signed by the Junior Lords only, who, under the Order in Council of 14th January 1869, do not form part of the responsible Government of the Navy, but are executive subordinates under the First Lord; and whether, as the Estimates have not been presented on the authority of a responsible Minister, he will undertake to give them a careful revision, and to satisfy himself that they have been prepared with due regard to the national interests, before proposing them to Parliament?

Mr. GOSCHEN: Sir, the right hon. Gentleman is somewhat premature in addressing me as First Lord of the Admiralty, as I have not yet formally received that appointment. However, I am prepared to answer his Question. If the Navy Estimates, which have been laid on the Table, do not bear the signature of the late First Lord of the Admiralty, he was responsible, to a great degree, for the policy embodied in those Estimates; and not only that, but he submitted that policy to his Colleagues in the Cabinet, and the Government are responsible for that policy. As regards the details of the Estimates, the right hon. Gentleman may rest assured that I shall propose nothing to the House without being satisfied myself that it has been prepared, as he expressed it, with a due regard to the national interests.

IRELAND—WESTMEATH, &c. UNLAWFUL COMBINATIONS COMMITTEE.

QUESTION.

Mr. M'MAHON asked the Chief Secretary for Ireland, Whether the Select Committee to inquire into the state of Westmeath, and certain parts adjoining of Meath and King's County, and the nature, extent, and effect of a certain unlawful combination and conspiracy existing therein, will be authorized to inquire into the causes thereof?

The Marquess of HARTINGTON I beg to remind the hon. Gentleman that the Order in reference to this Committee has been decided by the House, after full discussion, and I do not think it would be proper on my part to give any further interpretation of it. I will only say that it is not the intention of the Government to propose any alteration in it.

DEFENCES OF CANADA.—QUESTION.

SIR CHARLES ADDERLEY asked the Under Secretary of State for the Colonies, Whether, in completion of our engagements to Canada, the works at Quebec are being armed and the north works in progress; whether Canada, on her part, is fortifying Montreal, for which her Parliament voted a loan Imperially guaranteed; what progress has been made with the Canadian Militia; and, how soon the Intercolonial Railway may be expected to open their communication between Halifax and Quebec?

MR. KNATCHBULL - HUGESSEN said, that the Estimates for the present year would contain an item of £9,000 for the completion of the fortifications of Quebec. The guarantee for the loan passed the House in August last, and he had not received any information of any steps that had been taken by Canada, as to entering upon the fortifications of Montreal. The condition of the Militia was very satisfactory. In March of last year the number of active Militia was something over 43,500, which, by this time, had risen to about 45,000; and if any emergency should arise—which he was far from anticipating—to call for their services, the Commander-in-Chief would only have to give the order, and in a few hours upwards of 40,000 thoroughly efficient men would be able to take the field, and they would be hourly augmented by a large number of Reserve Militia. There were six or seven training colleges for the Militia, which were in an excellent condition. With regard to the last Question, he was able to state that the works—extending over about 400 miles—were in a most satisfactory state of progress. More than half the line would be completed before the end of the year, and they had every reason to hope the whole would be finished before the end of 1872, or within a period of only four years from the commencement of the undertaking.

EDUCATION—THE NEW CODE—MUSIC. QUESTIONS.

MR. REED asked the Vice President of the Council, Why it is proposed in the New Code to omit Music from the extra subjects included in the Fourth Schedule?

MR. W. E. FORSTER replied that he had to state that after careful consideration the Education Department had decided that the best mode of encouraging music in elementary schools was not to include it in the extra subjects. Music was taught to a considerable extent in elementary schools, and the New Code might be said to encourage it, because it increased from 4*s.* to 6*s.* the sum given for average attendance for instruction in secular subjects, including music. Hitherto it had been permitted to the schoolmaster to send up pupils for instruction in music as a special subject; but that power had only been made use of to a very slight extent. In only 43 schools last year was music sent up as an extra subject, and in only 37 even children passed, and the whole sum paid was £77, scarcely any of which was earned by special examination of individual scholars. It had been found desirable to make the premium for special subjects depend upon the special examination of the scholars; and on that ground it had been resolved to exclude from the special subjects for this year drawing and music. Drawing was excluded because it was better attended to by the Department of Science and Art, which had a large number of elementary drawing schools; and with regard to music, the difficulty was that the education not merely of those who attended elementary schools, but of the upper and middle classes, had been neglected, and it was difficult to find gentlemen competent to examine in the notation of music. Therefore, though the Education Department were most anxious to promote the study of music, they could not make it a condition of the appointment of an Inspector, so many other qualifications being required. He would consider whether any other mode of promoting the study of music could be introduced into the Code next year; but at present he thought the object would be better attained by encouraging singing classes throughout the schools than by including music among the special subjects.

MR. DIXON asked the Vice President of the Committee of Council on Education, Whether the Government will arrange for a Morning Sitting for the consideration of the Motions for alterations in the New Code of Regulations issued by the Committee of Privy Council on Education, on the ground that the power of Parliament to modify the said code will expire on the 17th of March?

Mr. W. E. FORSTER, in reply, said, that though the Code would not come into legal operation till it had been a month on the Table of the House, it would afterwards be in the power of Parliament to modify it through an Address to the Crown. There was every reason to hope that the hon. Member would have an opportunity to-morrow night of bringing forward the points with reference to which he had given Notices.

IRELAND—RAILWAYS.—QUESTION.

Captain STACPOOLE asked the First Lord of the Treasury, If it is the intention of the Government to bring in any measure with reference to the purchase of Irish Railways this Session?

Mr. GLADSTONE replied that Her Majesty's Government had not prepared any measure for the purchase of Irish railways, nor was he sanguine that it would be in their power to make a proposal in any form on the subject this Session.

WESTERN COAST OF AFRICA—SIERRA LEONE.—QUESTION.

Colonel BERESFORD asked the Under Secretary of State for the Colonies, Whether, in consequence of the Governor Generalship of the whole of the Western Coast of Africa having been conferred upon the Governor of Sierra Leone, the latter Colony has not been taxed to the amount of £2,000 per annum for the maintenance of a yacht for his Excellency's use?

Mr. KNATCHBULL - HUGESSEN said, that the hon. and gallant Gentleman was under a complete misapprehension as to the Colony of Sierra Leone having been taxed to the amount of £2,000 a-year for the maintenance of a yacht for the Governor's use. The fact was that the Committee which sat on the subject of the African Settlements in 1865 recommended, among other things, that those several Colonies should be brought under one head — Governor at Sierra Leone. That recommendation was adopted, and was part of an economical arrangement which enabled the Government to withdraw troops from those settlements, and save expense in other ways. But inasmuch as the expense of the local governments was thus increased, it was thought right, in carrying out that arrangement, that steam communication not at the expense of the Colonies, but of the Imperial Exchequer, should be provided, and a charge of £5,000 for that purpose had appeared on the Estimates ever since.

ARMY REGULATION BILL—REPAYMENT OF REGULATION PRICE.

QUESTION.

Colonel C. H. LINDSAY asked the Secretary of State for War, In what way he has taken powers, in the Army Regulation Bill, with reference to the repayment of the customary price of an Officer's Commission, who is either dangerously ill or who has died, as intimated by the honourable and gallant Member for Truro to the honourable Member for Bedford on Monday evening?

Mr. CARDWELL, in reply, said, he had taken no powers in the Army Regulation Bill to give any sum of money out of the public funds which would not have been received by officers under the circumstances if the Bill should not pass into law. What his hon. and gallant Friend (Captain Vivian) meant to say the other evening was, that a provision in the Bill which imposed a limit on the number of sales, operating in connection with the regulation with regard to those who died or were sick, might possibly inflict upon officers inconvenience and loss to which, under present circumstances, they were not subject, and that the limitation would, with the sanction of the Treasury, be open to consideration. For his own part, he wished to say that the limit would be open to consideration in Committee. It certainly was not intended by him to inflict any inconvenience or loss upon any officer to which he would not be subjected if the Bill did not pass.

RINDERPEST IN FRANCE.—QUESTION.

Mr. M'LAGAN asked the Vice President of the Committee of Council, Whether, considering the prevalence of the rinderpest in France, he is prepared to take any extraordinary steps to prevent its introduction into this Country?

Mr. W. E. FORSTER, in reply, said, the matter had received the constant and anxious attention of the Privy Council, because we certainly had been in very considerable danger from the introduction of the cattle plague. France and Prussia, in which, from good administration, the cattle plague had before scarcely existed, had, in consequence of the fearful war, become exposed to its ravages. Up to a year or two ago Prussia, by its excellent administration, had kept out the cattle plague almost entirely; France had done so altogether; and, consequently, France was not included among the countries from which animals coming would have to be killed. Germany was included not on account of danger from Germany itself, but because it was the country from which the Steppe cattle might possibly arrive in England. But upon the cattle plague breaking out, and evidently following in the track of the German Army in the autumn, the Privy Council found it necessary to issue three Orders one after the other. The first was on the 9th of September, which put France among the scheduled countries, the cattle from which were liable to be killed at the port of landing. The second was issued on the 20th of September, which extended the provisions with regard to cattle, to sheep and goats, from both Germany and France, because it was possible, and even probable, that the infection might be conveyed by these animals. At the same time, a very strong restriction was put on—which was done with the greatest possible reluctance by the Government, because it might have considerably interfered with the food supplies of London—that cattle landing in London should be killed at the place of landing, and not be taken to Islington Market. On the 28th of November the same Order was applied to animals from Belgium, which appeared to suffer from proximity to France and Germany. The House would understand that the Government felt a great difficulty in the matter. On the one hand, it was necessary to take every step to prevent the introduction of the plague; on the other, it was a very serious matter to interfere with any trade, especially the trade of food for the people. But the accounts the Department had received, both from public sources and also from private inquiry, made them come to the conclusion that they should now take the strong step of prohibiting altogether for the present the importation of cattle from France, and also, he was sorry to say, from Belgium. However, there would be no real interference with the trade, because there had been scarcely any importation of cattle from France, and not much from Belgium of late. The French Government, within the last few days, had repealed their prohibition to export, which was another reason why it was thought necessary on our part to prohibit the import.

INDIA—NORTH-WEST FRONTIER MEDALS.—QUESTION.

MR. KINNAIRD asked the Under Secretary of State for India, When the North West Frontier Medals of the 81st Regiment are likely to be given, and what has caused the long delay in their distribution?

MR. GRANT DUFF: The medals about which my hon. Friend asks were sent to the War Office for distribution to the 81st Foot on the 7th of March. The delay has arisen partly at the Mint, partly with the contractor who mounts the medals.

ARMY—BREECH-LOADERS.
QUESTION.

COLONEL NORTH asked, When the Returns which he had moved for on the 10th February with respect to the number of Regiments armed with breech-loaders will be ready?

SIR HENRY STORKS said, the Returns were ready as far as regarded the troops serving in the United Kingdom and the Colonies; but, as his hon. and gallant Friend intimated that he wished to have the Return extended to India, it was necessary to send to that country for information. He had been informed by the Under Secretary that a letter was written on the 23rd of February to the Government of India requesting the information to be sent home with the least possible delay.

HIGHWAY BILLS.—QUESTION.

MR. G. BENTINCK asked the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce, and to proceed with, during the present Session any Bill relating to Highways?

MR. BRUCE said, in reply, that he had already stated that it was his intention to bring in a measure making compulsory the provisions of the Highway Act.

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

SECOND READING. ADJOURNED DEBATE.

[SECOND NIGHT.]

Order read, for resuming Adjourned Debate on Amendment proposed to Question [6th March], "That the Bill be now read a second time;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army,"—(*Colonel Loyd Lindsay,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Lord ELCHO: The narrow issue to which, as I think, unfortunately, this question has been confined on the matter raised by my hon. and gallant Friend behind me (Colonel Loyd Lindsay), to whose liberality and exertions during the late war suffering humanity owes so much, has placed it, in my opinion, on too limited a basis. The consequence has been that this debate has run almost entirely upon the question of Army purchase. Now, though the abolition of the system of purchase may form a very large part of the Government measure, I venture to say that it is but a very small part of a very great subject. The question at issue before the country is the passing of a Bill for the purpose of placing its military resources on a proper footing, and it is therefore a question affecting the honour, power, influence, nay, even the very safety of England; and I venture to think that in comparison with this question not only does purchase sink into insignificance, but the questions which engaged us for two Sessions of Parliament, momentous though they were—I mean the measures dealing with the Irish Church and the tenure of land in Ireland—are also questions that sink into comparative insignificance. The House will therefore, I trust, bear with me while I endeavour to place this question—which my hon. and gallant Friend behind me, though representing a broad-gauge county, has shunted, I cannot help thinking unwisely, on to a narrow gauge—upon its true basis. I cannot say that I was either pleased or disappointed at the speech made by my right hon. Friend the Secretary of State for War in introducing his proposals to the House. It could not have pleased me, notwithstanding the ability and clearness of his statement, to hear him shadowing forth measures which I believed to be totally inadequate to the occasion. I was not disappointed, because, knowing the turn of my right hon. Friend's mind, and being aware of what was thought by that gentleman who is acquainted with everything—I mean "the man in the street"—as to the course which the Government would take in this matter, I was in that state of beatitude which is the condition of those who expect nothing; therefore the measure shadowed forth, so far as I was concerned, was no disappointment to me. It seems to me, having read the comments which have been passed on this scheme by the public prints—comments which, in the case of the leading journal, went to the extent of saying that the speech of my right hon. Friend was received with enthusiasm, desirable to ascertain, if possible, what are the grounds for that enthusiasm: I have read that speech line for line; I have searched the provisions of this Bill diligently, and I must confess I can find in neither sufficient cause for any such feeling. In order to ascertain the value of this measure we must, I think, first of all establish an adequate gauge. My right hon. Friend has given us his gauge. He stated that the measure was intended to lay deep the foundation of a system—and I beg the House to mark this—"which would render danger, or the apprehension of danger, altogether unknown in the future." Now, that is a magniloquent, but a somewhat vague mode of expression; and the worst of it is that you cannot apply my right hon. Friend's gauge to his Bill until the danger has actually arisen; in short, until it is too late. "Too late!"—those unhappy monosyllables which were written up over the doors of the War and Commissariat Departments during the Crimean War, and which have been written on almost every page of our military history. I, for one, reject this gauge, and seek for some other. What, then, should be the proper gauge of a measure for the organization of the military forces of the Crown?—for that is what the question comes to after all. In answer to that question, I contend that you must establish, in the first place, a proper standard for your Army; you must severally see what your present armaments are; and, in the third place, find out what are your chief wants. As to a proper standard for our Army, I would, in dealing with that point, though I may refer to our foreign policy, not say a single word which might alarm any hon. Member, especially the hon. Baronet the Member for Chelsea (Sir Charles W. Dilke). I am not going to open up the question of the Conference, or of British interference, but this question of what should be our foreign policy lies at the root of the whole subject of Army organization, and it may, I think, be discussed and dismissed in a very few sentences. The events which have occurred in Europe during the last six months have brought to the front the views entertained by different sections in this country as to what should be the character of the foreign policy which we should adopt. We have, on the one hand, the advocates of non-intervention, and first comes the Peace Society, of whom I see a distinguished representative sitting on the Benches opposite. Now, do not imagine that I am going to speak sneeringly of the members of that society. On the contrary, I have the greatest respect for those gentlemen, because they are men who have opinions, and who are not ashamed to own those opinions, at the risk of being laughed at by their fellow-countrymen when they advocate disarmament, which they are always prepared to do even in time of war. But the hon. Member for Leicester (Mr. P. A. Taylor), favourable though he is to peace, has told us that he is not prepared to secure it at any price, and that he is ready to pay for it the price of war. This party, however, cannot, I think, be said to represent anything like the majority of the people of this country. We have also among us men who are at one time for non-intervention, and who petition the Government against intervention, but who, at another, are found assembled in fantastic garb round the base of Nelson's Column dancing a moral war dance and whooping like Red Indians in their desire to urge on the Government to engage in hostilities. I am glad the Prime Minister has had the courage to bar the door against his allies in Trafalgar Square and Hyde Park. Again, we have a more literate and philosophic class of Englishmen, who are fond of giving utterance to sentiments no less bloodthirsty in the pages of some popular reviews. Now, I do not believe that any of those parties represents the deep-seated feeling of the people of this country. But there is another class of men for whom much is to be said. The views of this class are most ably put forward in a pamphlet called *Happy England*, which I recommend hon. Members carefully to read. The author is Sir Edward Sullivan, a man who has written admirable articles on social reform, and his view is, that the people of this country ought not to be the sole policeman of Europe; that we should have nothing more to do with treaties; and that we should content ourselves with maintaining such a fleet and such a number of marines as would enable us to protect ourselves and our colonial possessions. That also is a view which, in my opinion, does not represent the real feeling of this House, or of the public out-of-doors. On the other hand, we have interventionists of the purest and bluest blood, who are ready to interfere on every occasion in the affairs of the nations beyond that "silver streak," for which, as I do not happen to look upon it from the serene battlements of Walmer Castle, I venture to suggest "leaden" would be a more appropriate epithet. The class of interventionists of whom I am speaking would have us maintain such a military force as would enable us to renew the glories of Agincourt and Cressy; but neither is theirs, in my opinion, the view of the majority of the people of this country. I now come to what I believe to be the real feeling of the majority of Englishmen on this subject. It is this—They hate war as much as the Peace Society; they remember what the wise man has said, that "he that passeth by, and meddleth with strife belonging not to him, is like one that taketh a dog by the ears." They at the same think that the safety and honour of England may sometimes oblige us to interefere, and that we might be bound by the faith of treaties to take part in struggles which we would give almost anything to avoid. While hating war, they are men who, when honour is at stake, may always be appealed to with success, for they feel that, though death may be a fearful thing, a shamed life is hateful. That I am right in this view is shown by what occurred at the close of last Session, when we showed our readiness to interfere for the defence of Belgium, and Parliament was asked to vote a sum of money for the purpose of increasing our military force. Such being our policy, we must place ourselves in the position of keeping our Army in such a state of efficiency that, without waiting for five or six months, we might be enabled effectually to carry out those treaty obligations in which the honour of England is engaged. As to our colonial policy, it may be wise to bring troops home in time of peace; but in the event of war, unless you are prepared to give up your Colonies, you must send troops to defend them. In case of war you must be prepared to increase the garrisons of fortresses like Malta, Gibraltar, and Halifax. It is, therefore, a mistake to say you are strong because you have in this country a certain number of men, when, in the event of the outbreak of a war, you would have to send abroad a considerable number of them for the purposes of your colonial garrisons. Then there is India. I suppose no one wishes to give up India. But you may have to put down a mutiny, or, in case of differences with Russia about the Black Sea question, you may have to defend the frontier of India. Looking, then, to foreign and colonial policy—I say nothing at present about home defence—you must have an Army, small, indeed, but easily and rapidly expanded. Now, such an Army at the present moment we certainly have not got. As regards our home policy, I need not speak of our home defences, because the wish of every Englishman must naturally be that we should be absolutely unassailable at home, and that if we think it right to adopt as our foreign policy, a policy of concession instead of resistance, it should not be supposed that our concession is caused by the weakness of our military armaments. I come now to the second part of my gauge—the state of our Army. I am not going to weary the House by entering into Army statistics. I will ask it to accept certain things as accepted facts. Now, what is the state of our Army? I have jotted down certain facts which I believe to be indisputable. We have an Army organized in regiments only. I do not call your district organization anything as yet. It may become so; it is not so now. You have an Army organized in regiments only; and those, skeleton regiments and *cadres*. You have no Reserves—that is to say, nothing worthy of the name. You have a Militia Reserve of 20,000 men, to get which you have reduced the standard, and have not insisted on medical examination, so that many of these men, if examined now for re-enlistment in regiments, would be rejected, whereas, by going into the Militia Reserve, they escape medical examination, and can be re-attested without it. You have no certain supply—I mean no absolute supply—of men. The men you get are not of sufficient physique—that is to say, they are too young. I have extracts from the Report of the recruiting officer laid on the Table, which my right hon. Friend has quoted with reference to enlistment and other matters in his own favour, though if I wanted a document which shows the rottenness of our system, especially in the matter of recruiting, I should take this as a text-book. It seems that these boys enlist nominally at 18, but really often at 17, and sometimes—though the Report does not say so—at 16 years of age. The Report says they increase one inch in height, two inches round the chest, and 16 lbs. in weight in the course of one year. On the other hand, a most able pamphlet has been written by Major-General Sir Lintorn Simmons, than whom, from the variety of his knowledge and experience, no higher authority exists, and this officer points out that what with the boys who are unfit for long marches and hard service, and what with the comparatively old soldiers who re-enlist in order to obtain their pensions, you must, for actual, reliable service in the field, make a deduction of from 15 to 20 per cent from our Army, 20 per cent being, as he says, much nearer the mark than 15. Then what is it you may have to meet? Every correspondent, and every private individual who has seen the troops engaged in the war, has been struck by the physique of the German soldiers. Their active, mobilized war Army consists entirely of men from 20 to 27 years of age; and it is against this Army that you might possibly have to send your raw youths of 16 and 18, along with men who, towards the close of their 20 years' service, are only fit for garrison duty. As regards the class of men, you do not get the right quality. Our Army is not during peace trained for war as the Prussian Army is. The Militia, like the Regular Army, exists only in regiments. It is not formed into brigades, with officers attached to learn their duty. They, too, have no certain supply of men; and they, too, have the same class of men I have referred to as being in the Regular Army. Then, again, I can refer to the Report of the recruiting officer, to which I have already alluded. He points out the evil of the competition which now exists between the Militia and the Line for the same class of men—a competition attended with great injury to the service; and, owing to the localization of the force, the Militia recruiting sergeants, on the whole, get better men than those of the Regular Army. The training of the Militia is admittedly insufficient; the force is also, to a certain extent, short of officers. Now, as to the Volunteers. They also exist only in regiments. They are insufficiently trained; their officers, as a whole are also not up to the proper standard; and, above all, the Government have no hold over the force, in consequence of which you cannot compel that degree of training and discipline which is absolutely essential to make it a reliable weapon for the defence of England. This is what is; I do not say what might be. I come now to probably the most important of all the branches of our military forces, and that is the artillery. At the close of last Session my right hon. Friend—I do not blame him, for he went to his present office new to the work, and naturally says on such questions what those in his Office, or the authorities whom he consults, tell him—spoke in this House in the most contented manner about our armaments, and the House went away satisfied. My right hon. Friend was not only satisfied; he spoke proudly and boastfully of the state of our artillery. And what did he say? That we had artillery sufficient for 60,000 men—not a gun more. It was upon this assurance that Parliament separated, with the chance of having to drive the Prussians or the French out of Belgium. It turned out that, according to our field equipment, we had not artillery for 60,000 men with Reserves on a war establishment, but only had artillery for 40,000 men. I again say that I do not blame the right hon. Gentleman. He spoke as he was told. But it is desirable that the House should know accurately what is the real state of our artillery. The result of further deliberation during the Recess was this—that whereas my right hon. Friend was satisfied with the state of our artillery at the end of August, he doubled it in the course of the Recess between September and February. Here is a statement made out from various sources, upon which the House may rely as absolutely correct. The proportion of artillery in the Prussian service is 2·7 per 1,000 men. In our service, according to the field equipment, with Reserves, the proportion was set down at 3·10, showing, on paper, a larger proportion than that in the Prussian Army; but a Committee which investigated the subject lowered the figures to 3 guns to every 1,000 men, including the artillery themselves. I take this as the standard. My right hon. Friend says we have this year 336 guns and 72 depôt guns—in all 408 field guns. At 3 guns per 1,000 men this is equal to an Army of 136,000 men. The artillery got 1,456 of the 20,000 men voted in August of last year, with 724 horses, to complete the then existing batteries, so that they were not complete at the time my right hon. Friend comforted the House. A further increase was made on February 1, 1871, of 3,798 men and 2,110 horses, to form six new batteries of horse artillery and 20 new batteries of field artillery. This increase in the artillery has been made not simply by raising men, but by converting to a certain extent garrison batteries into field batteries; so that of 20 new batteries, 8 are wholly formed from garrison batteries, and 2 are wholly officered from garrison batteries; the result being that the garrison batteries are short of officers, consequent on last year's reduction of one subaltern, and the raising now of garrison brigades to 162 men per battery. Let it be remembered that a garrison gunner is a mechanic, who has to raise from the ground the 35-ton gun, place it on the carriage and work it; and, therefore, by converting the garrison artilleryman into a field artilleryman, you put a skilled workman to do inferior work. These garrison gunners when made field artillerymen will have to discharge stable duties and teach riding and mounted drills, though I believe not one of them has been on horseback. Notwithstanding this absorbing of garrison artillery, an increase of 2,512 men and 5,440 horses is required to place our artillery on a foreign war establishment. We have a foreign war establishment and we have a home war establishment. To complete the home war establishment we require 1,192 men and 3,088 horses. To complete these batteries the Government would have to take the whole depôt brigade of 2,600 men, and these will have to meet the whole of the Indian drain and the requirements of the Colonies. Of the 72 guns in depôt or reserve, only 30 are now horsed and manned, and those on the peace establishment. When the House is told of these things it may well shiver at the state of things existing, knowing what the expenditure would be to place matters on a proper footing. However, considering what has recently been going on abroad, it is desirable that these figures should sink deeply into the minds of hon. Members. We require on the standard of 3 guns to 1,000 men for the home forces alone, 135,000 men, 405 guns; for the Army of Reserve of 60,000 men of the first and second class, 180 guns; and 60 guns for the Militia Reserve of 20,000. Therefore, you require 645 guns for the Army alone, and you have now only 405. There is no difficulty in the manufacture of the guns, for they can be turned out at Woolwich at the rate of a battery a week; it is the men and the training of them that are wanted. You should have a sufficient Reserve, and not have to wait for six months to get 18,000 men. My right hon. Friend boasts of his battalions of Reserved forces—the Militia and Volunteers. Now, how many guns would they require? The 120,000 men of the Militia would require 360 guns; the 14,000 Yeomanry would require 42, and the 170,000 Volunteers would require 510 guns, or, altogether, 912 field guns if they were put into the field on the footing you have supposed as proper for meeting an enemy having 3 guns to 1,000 men. I admit that a certain amount of the men would be locked up in depôts; but to say that you have the requisite number of guns in reserve would not be doing justice to the Army, and would only be throwing dust in the eyes of the country. We ought to take care that, in applying this test to the Bill, we have a Reserve force of artillery. The great secret of success abroad has been this—that, although the proportion is under 3 guns to 1,000 men, considering the mass of artillery in the German Army, they can concentrate it, and bring the fire to bear on certain points; so that the Duke of Mecklenburg had guns in the proportion of 6 to 1,000 men in his Army. Besides all this, we have no general field organization, and we have forts comparatively without guns. My right hon. Friend boasts of a 35-ton gun, and says we shall have the best guns in the world. But we have only got one of them, and I am not sure that that has been proved. My right hon. Friend also said that we have the best field gun in the world; but how many guns of that kind have we got? Only two. As regards the rifle, my right hon. Friend stated that we likewise possessed the best specimen of that arm. I have the satisfaction of saying that the Snider is better, or, at least, as good as the Chassepôt. My right hon. Friend also referred to the Martini-Henry; and I will accept his statement, that it is the best arm in the world. But the pattern of this arm has not been decided upon, and further experiments are being made to make it lighter. But you must recollect that you have got to arm your troops with this weapon. What is supposed to be the proper stand of arms in this country, exclusive of those in the hands of troops? There ought to be 800,000 in store. No doubt the Snider will be the store arm for emergencies, and that other arms will be put into the hands of the troops for service. Whether we regard the big guns or the small arms, the whole matter must be admitted to be in a state of transition; and, unless money is spent on these primary objects, it will be years and years before we get into a satisfactory condition. We have only one arsenal, and our system of supply is very unsatisfactory, and would entirely break down in time of war. My right hon. Friend referred to the expedition into Canada, and quoted the letter of Colonel Wolseley; but that was no test whatever. That expedition to the Red River was nothing like an expedition in the ordinary war sense—it was a mere caravan going out into the desert, carrying all its supplies with it, having no base, and requiring none, and there was no expenditure of ammunition attending it, so that, therefore, it is absolutely worthless as a test. I now come to show what our state is as regards our wants. There are two kinds of wants. There are wants which are secondary, and there are wants which are primary and essential. What I call a secondary want, assuming it to be a want at all, is such a matter as that which occupied the attention of Parliament a week or two ago for a whole night; it is a secondary point in military reform whether the Military Secretary is to be appointed for life or for only five years. I hold his salary to be equally a secondary matter in the question of military reform. I hold it a secondary question whether the tenure of the Commander-in-Chief should be for life or for five years. Those are all secondary as compared with our really primary wants. Individually, I believe that the present Commander-in-Chief, from his knowledge of all military details, is the fittest man in this country to hold the office which he now fills; and what I see, on the part of those who are agitating this question, is a wish, a desire, an attempt to degrade the Commander-in-Chief into the mere creature of the Secretary of State, whom they may, perhaps, some day succeed in making—what he is not at present—the slave of the House of Commons. To show the House that I am not wrong in that view, I may say that three years ago, after the discussion on purchase, I met an ardent young Army reformer, and expressed to him my surprise that there was such an anxiety to get rid of the Duke of Cambridge, who, on every Committee and Commission, had shown that he knew more of the details connected with the administration of the Army than any other man, civil or military, in the country. What was the reply of this ardent young military reformer? "That's it!" he said. "That is why we must get rid of him. He is too powerful." "Why?" I asked. "Because, under our Constitution," replied my friend, "we are enabled to have a Secretary of State who is not very well versed in military matters, and, therefore, he may become a mere tool in the hands of such a Commander-in-Chief as the Duke of Cambridge." I shrugged my shoulders, turned on my heel, and said—"I am glad to have learnt your views on this question, and it comes to this—that because by the Constitution you are able to have an ignorant Secretary of State, you must therefore saddle the Army with an incompetent Commander-in-Chief." I think the hon. Member for the Border Burghs (Mr. Trevelyan) will not deny that this is a correct statement of the views of Army reformers at the time I speak of, three years ago. I say, nevertheless, the tenure of the Commander-in-Chief, whether for life or for five years, is secondary, as a question of military organization. Then another question which I deem to be wholly and absolutely secondary is the question of purchase. Does anyone deny it? No, it is not denied; but, in case it should be, I will anticipate the denial and prove that my view is right. Suppose that when this war broke out, and the nation was in an excited and alarmed state, the Secretary of State had come down to this House, and told us that he had added 20,000 men to the Army, and a certain number to the artillery, and had said further—"This is an European crisis of the gravest character, and we shall meet it by altering the tenure of the office of Commander-in-Chief to five years, by similarly altering the tenure of the Military Secretary's office, by reducing the Secretary's salary, and by abolishing the system of purchase." If he had done no more than that, should we have accepted such proposals? No. We should have said—"This is all very well in theory, and it is, no doubt, a right thing to make our house sound in all its joints and crannies, but these are all secondary questions; what we want to do is to make arrangements for our primary and essential wants, or otherwise the country will not be secure." Now, what are our primary wants? They are, in the first place, men for the Army, a certain, absolute supply of men of proper physique. We want Reserves for the Army, and that these Reserves should not come in by driblets of 1,000, 2,000, or 3,000 a-year, and taking 10 or 20 years before an Army of Reserve is formed, but that steps should be taken to bribe men to come into the Army at once; otherwise where would you be if another emergency should happen? Then, with regard to the Militia, we want a certain supply of men to stop the competition with the Army, and these men should be sufficiently trained to meet foreign troops, in case, at any time, we should be invaded. As to the Volunteers, the whole matter may be summed up in one word—you want to get a hold of them which you have not yet got. And, now, having got my gauge, let me apply it to this measure. I have made an analysis of this Bill. It consists of 36 clauses, of which eight go to purchase, 16 to the auxiliary forces. There remain power to take railways one clause; barracks and land, five clauses; penalties and saving clauses, three; definition, one; preliminary one. There is only one clause relating to the question of Reserves; yet the title of the Bill is "Army Regulation." Now, it appears to me that the whole of this Bill deals recklessly and wantonly with what is secondary, while it almost ignores, as I shall show, what is primary and essential in what this country needs—military organization. An hon. and gallant Friend of mine the Member for Bewdley (Major Anson) asked the Secretary of State to divide his Bill, but he very naturally refuses; because if he did divide it into measures affecting purchase and its other questions, there would be nothing left of it, and my right hon. Friend naturally and wisely objects to bring that result about. The question of purchase is the very pith and marrow of this Bill. I am not a defender of purchase in the abstract; no man is; but I find that it works well in practice. Three years ago I ventured to address the House on the question. I never thought of the subject till then; but I read during the Easter Recess all that had been said in the House on the subject, and I came to the deliberate conclusion before I made my speech that, perhaps, the only sound thing in our military organization is this regimental system, of which the life-blood is this question of purchase. I do not defend purchase in theory; but as a practical man wishing to do the best for the Army, for my country, and for my constituents, I am forced to the conclusion that it works well—I shall not discuss the details of the matter at all. I assume that the interests of the officers are safe, and that the House of Commons, if it abolishes purchase, will do full and ample justice to the vested interests of the Army, and that over-regulation, as well as regulation prices will be paid to clear this debt which you have allowed to grow up. I will only say a few words on the general question. I think purchase can be defended on the broad question of principle. What is the good side of purchase? It is this—that it gives you young and physically efficient officers, so that you have a great deal younger officers in your Army than are to be found in any other Army, and you get this at no cost to the State, and on the very small payment which you make to your officers. Our officers, there can be no question, are very badly paid; but as they are willing to serve it is not for the House or the country to complain. You get the very best and most efficient officers, and they are not discontented with their position, but are proud of it. The purchase system also gives you a check against anything like favouritism, and it is the very root and basis of what is called the regimental system; but that is the wrong expression; we should rather call it the *esprit de corps*, or regimental *esprit*, as it was well termed by the hon. and gallant Member (Captain Talbot) who spoke the other night immediately before the adjournment. It is impossible to set too high a value upon this regimental *esprit*, and your new scheme proposes to destroy it. An hon. Member whose reputation for ability stands high in this House—the hon. Member for Bedford (Mr. Whitbread)—has spoken of the hardships to officers under the existing system. Why, whether purchase or non-purchase, all officers alike are in favour of the purchase system. The hon. Member also said that no officer under the purchase system could be passed over without his consent, and that in cases where he was unable to purchase his step promotion must of a necessity come to a stop. But the answer to the objection is a very simple one, because I maintain that such a man will get to the head of his regiment sooner under the existing system than he would do under the proposed one. Well, those are some of the good results of the purchase system, and now let us see what are the objections which have been raised against it. The hon. Member for the Border Burghs (Mr. Trevelyan) who has shown so much ability and perseverance in connection with this subject, maintains that by abolishing the purchase system we shall obtain these five advantages. In the first place, he says, we shall obtain efficient officers in every grade of rank. Admitted. Secondly, he says that no man will be able to obtain the command of a regiment who is not efficient; thirdly, that there should be an opening afforded to non-moneyed men who have ability and zeal, and who wish to get on, but who cannot afford to pay for promotion. Fourthly, that under the new system we shall have promotion from the ranks of non-commissioned officers. We have heard very little on this subject lately, and I shall have something more to say upon it by-and-by; and, lastly—and this is the Government reason for asking us to spend this enormous sum of money—that we cannot officer our Reserves or amalgamate our forces without the abolition of the purchase system. [Captain VIVIAN: No.] I am in the recollection of the House; but if it is denied that this is the Government reason, I say they have no reason at all for it. I maintain that every one of these advantages can be obtained without our going to this expense; if they could not, I should be the first to support it. Let us consider the first of these advantages which it is said we are to obtain under the new system. It is said we shall obtain efficient officers under it. Now, I maintain that under the existing system you can train your officers up to any standard you choose. You can, if you wish, screw them up to the Prussian standard, or even above it. Therefore, there is nothing in the argument that you can obtain efficient officers by the abolition of the purchase system. But it is most important that our officers should be trained on a war footing. You have never done that, and you make no provision for it under your new system. Thus you have absolutely neglected the most important part of the training your officers ought to receive. Then it is stated that under the new system the command of a regiment will be prevented from falling into incompetent hands. But under the existing system the Commander-in-Chief has a veto upon the appointments to the commands of regiments, and he has confidential reports placed in his hands which tell him the character of every officer in the Army. If you choose to do so, you can say at the present time to every officer that they shall undergo a general examination before they are appointed to the command of regiments. Then as to the veto possessed by the Commander-in-Chief. It may be said the Commander-in-Chief does not exercise that veto; but if you find he fails to exercise it where he ought to, withdraw his letter of service, and be thankful that you are enabled to do so, as he has not got a five years' tenure of office. Appoint some other Commander-in-Chief, and go on appointing fresh ones, if necessary, until you get one who will carry out his duty properly; for it is the duty of the Commander-in-Chief not to be deterred by the "Dawkinses" of the service, but to exercise the veto intrusted to him by the Constitution in such a way as will add to the efficiency of the service. As regards the opening of the Army to poor men who cannot afford to buy their promotion, there is nothing in the present system which prevents that being done. The Artillery and the Engineers are open at the present moment to that very class of men. I need not read the figures I have in my hand, because it is needless to weary the House by doing so; but here is a statement of the number of commissions given at Sandhurst without purchase, and of the number at the Universities which are paid for. Therefore it is absurd to say that you cannot throw open the Army to poor men under the present system. Then comes the question of the promotion of non-commissioned officers. But did not the hon. Member for the Border Burghs himself point to what occurred in the Crimea, and say that upwards of 100 non-commissioned officers had been raised from the ranks then, and had received commissions. That statement begs the question on my side, because it shows that, under the present system of purchase, you can give commissions to whatever number of non-commissioned officers you think right. I said just now that we heard very little now about commissions being given to non-commissioned officers, and with good reason. What was the sort of language used upon this subject three years ago? The hon. Member for the Border Burghs said—

> "If we could once prevail upon the War Office to set aside some fixed proportion of vacancies, say one-third or one-fourth, for men promoted from the ranks, all else would in good time follow."

But the French and Prussian War has occurred since then, and the non-commissioned officer question "won't wash" now; and, consequently, we have heard nothing in this debate about the giving of commissions to non-commissioned officers under the new system. It would certainly be a great inconsistency to say that while our great want is trained officers, we intend giving commissions to non-commissioned officers. We need not enter into the aristocratic question—do not let us talk such rubbish as that—but the class of officers we want is that which we find in the Artillery and in the Engineers. Sir Robert Anstruther took up this question rightly when he said that we want officers from the middle class of society. But the object of the hon. Member for the Border Burghs is to democratize the Army. Three years since the hon. Member said —"We could not go on much longer officering our Army from the froth, and manning it from the dregs of society." That was said by the hon. Member in this House three years ago. But he finds it desirable and convenient to change his tone now. [Mr. TREVELYAN: No.] The hon. Member adjured his friends to "provide us with a national and, in the truest sense, a democratic military force." It is not for me to stand up here to defend the officers of the Army—God knows they want no defenders. Looking at their acts, whether before regular armies or savage tribes, or in the Indian Mutiny, is there a man in this House who will say that our Army is officered by the froth of the nation? Even in the heat of debate such language would be strong; but when the hon. Member calmly reiterates the charge, I can only say that I do not take the view of the question which he does—my nature, thank God, does not fit me for it. There remains, then, but the fifth point for me to deal with—namely, that which relates to the officering of the Reserved forces. I maintain that the Reserved forces can be officered without getting rid of the purchase system. Glancing over the *Army List* yesterday, I found that in the Essex Rifles out of a total of 15 officers eight, including the honorary colonel, are men who have served in the Army, and that in the Royal Glamorganshire Regiment, which has no honorary colonel, out of 16 officers nine have served in the Army. Those were the only two regiments I looked at; but I dare say they were a fair sample of the rest. Therefore it is a mistake to suppose that in the Militia we have not numbers of officers who have served in the Regular Army. If you have not enough now, why do not you get more? You have only to say that officers on half-pay shall serve in the Militia as a condition of their half-pay, and you would obtain any number you thought fit to accept. I know numbers—I am afraid to say how many—of officers who have asked over and over again for employment in the Militia, and have been refused. As regards the Volunteers in like manner, I am proud to say that officers in many of the regiments have been in the Regular Army. I myself have the honour, unworthy as I am of it, of commanding the holder of a Victoria Cross in the person of one of my majors, who was aide-de-camp to Sir Hope Grant, and my other major was aide-de camp to Lord Clyde during the whole of the Indian campaign. Therefore, upon all these points the difficulty can be met, if the Secretary of State chooses, without doing away with purchase. Now what are the sums that will have to be paid. The Secretary of State has given an estimate of from £7,000,000 to £8,000,000, but he did not touch upon the question of retirement. And why did he not do this?—because, as he said, he was no prophet. *Non meus hec sermo.* Far be it from me to say whether he is or is not a prophet; but I will say it is a thing almost unheard of for a Secretary of State for War to ask the House to sanction an expenditure of £8,000,000 for the abolition of purchase, and to add that there would be a further charge for retirement, but he had no notion what it would be because he was not a prophet. There have been many extraordinary things spoken in this Session from the Treasury Benches, but none of them have been more extraordinary than the statement I have just quoted. If there is one parallel, it is to be found in what my right hon. Friend said last year. He was trying to get rid of purchase by buying up the first steps in promotion; and in the course of his speech he said that the whole system of purchase was one which no man could understand. My right hon. Friend will forgive me for saying that he did not quote accurately—the words should have been, "which no fellow can understand." But upon this question of retirement my right hon. Friend has no excuse for not being a prophet, for he sits among the prophets, and, by mesmeric or other influences, he might or ought to have been endued to some extent with the spirit of prophecy in regard to this subject. I find that in 1868 a speech was made in this House having reference to the state of things in 1856, and the speech contained the following calculations as to the regulation value of commissions:—Cavalry, £1,335,290; Foot Guards, £610,110; and Infantry of the Line, £5,180,630: total, £7,126,030. Having quoted these figures, the hon. Member who was speaking proceeded to say that—

> "Justice required them to pay not only the regulation price, but also whatever additional sums had really been paid under the system now connived at. Mr. O'Dowd had gone pretty closely into that matter in his pamphlet."—[3 *Hansard*, cxcii. 536.]

Mr. O'Dowd—who, I would remark, is now Deputy Judge Advocate, and therefore a Government official—made out that the over-regulation prices of commissions were—Cavalry, £1,735,000; Foot Guards, £435,000; and Infantry of the Line, £2,849,000: a total of £5,019,000; which, added to the regulation prices—£7,126,030—gives a grand total of £12,145,030. [Mr. OSBORNE: That does not include the artillery.] Do not be in a hurry. We have the retirement to come, and with it the prophecy. This Gentleman said he took the grand total I have just mentioned "as representing the real value of the vested interests in the Army," and then proceeds to say—

> "He took off 20 per cent as a fair deduction for promotion to the rank of general, retirement on half-pay, and other vacancies. Therefore, the House must be prepared—not in the course of a generation, but at most in 20 years, to spend first of all £10,000,000, in round figures, to buy out the vested interests of the Army;"—[*Ibid*, 537.]

which is only different by the sum of, say, £1,500,000 from the sum which my right hon. Friend gave the House the other day as the anticipated cost of the Government scheme. Then the prophet proceeded to say—

> "But that was not all it would cost them to get rid of purchase; for they would have to revise their whole system of retirement."—[*Ibid.*]

He did not say they would have to increase the pay of the officers, though that must be done; but he said a revision would be necessary to "increase the flow of promotion." I particularly ask the attention of the House to these figures. They have not been laid before us by the Government, and I maintain that they ought to have been. He goes on to say—

> "In addition to paying the sums he had already stated, they would have to provide for a system of retirement on full pay after 22 years' service, instead of on half-pay after 25 years' service. . . . He thought he was much below the mark when he said that besides the £500,000, that would be added to the Estimates for 20 years at least"—to get rid of regulation and over-regulation purchase—"they would have to pay £1,000,000 a-year, or, in other words, an additional 1*d*. of income tax for ever."—[*Ibid.*]

Now this prophet, not satisfied with this very clear and I think valuable and effective statement, which supplements the deficiency of the Government scheme, drew a moral and uttered a warning, as prophets usually do. This moral or warning was not addressed to the House in general; but to those hon. Members who sat below the Gangway, who were most active and urgent on such questions, and who believed they were doing their duty to their constituents by voting for a Bill like that now under discussion. The hon. Member's moral and warning was couched in these words—

> "Surely, it was idle complaining of the extravagance of the Estimates if, in the pursuit of a chimera, they were to saddle the country with that increased expenditure. He confessed that he should feel much surprised at finding such a proposal supported by the Members of the Liberal party, who had always been the strenuous advocates of retrenchment."—[*Ibid.*]

["Name!"] I do not think it would be kind to mention the name, though the whole point of the observations I have quoted from the hon. Member lies in the fact of his name. ["Name!"] Well, then, these statements were made by no other authority than the present Financial Secretary to the War Office (Captain Vivian), who sits by the side of my right hon. Friend the Secretary of State. But I will say more. These figures have a great value, because when my hon. and gallant Friend was appointed to his present office, he appeared in the Order in Council almost on a level with the Commander-in-Chief and Controller General. He was appointed in consequence of his financial knowledge and ability, and on his appointment he told his constituents that he was responsible for the finances of the Army. These figures, therefore, have a very peculiar value. They have a value which no figures that may come again from the hon. and gallant Member can possibly have, for they are unofficial figures. They are the product of the pure and virgin financial mind of my hon. and gallant Friend before he was corrupted by office and debauched by the Secretary of State. Now, Sir, I am inclined to think that this addition of 1*d.* to the income tax for ever is one of those measures which are like a fence — the more you look at it the less you like it. That is why I do not intend to vote on this question. I intend to walk out of the House, because I do not think the issue has been fairly sifted; but when it has, I think, the House will find the Government proposal to be the chaff and not the wheat. The more hon. Members who advocate economy look at it the less they will like it. When the hon. Member for the Border Burghs was speaking the other night, he was cheered very loudly by an hon. Member who was near me at the time. I said—"I am glad you like it; but do you know that it will cost the country £10,000,000 down and at least £500,000 a-year for ever?" What was his remark in reply to this? "The deuce!" A deputation came up to me from the country, and, amongst other matters, we spoke of the question of Army purchase. I asked if they knew what it would cost? They had not an idea; and when I gave them some information on the point, they did not answer in the same terms as my hon. Friend, but their remark was one which will have even more effect upon hon. Gentlemen opposite. They said—"But do the constituencies know this?"—I said—"No, they don't." ["Oh, oh!"] They certainly would not know it from the figures put before them. "But," I said, "there are some of us in the House who will take good care that it is known." My impression is that when this question comes to be well sifted in Committee by men who are conversant with the details of the subject the Government will fail to carry their proposal as to Army purchase. At any rate, it is the most wicked, the most wanton, the most uncalled for waste of public money that in 30 years' experience I have ever seen. The proof of that is, as I have demonstrated, that there is not a single thing which you say it is necessary to get by the abolition of purchase that you could not get without it. I will pass on to some of the other provisions of the Bill. The next important question is that of the Ballot. You have 10 clauses for the Ballot, and 44 provisions. That part of the Bill is an absolute waste of paper, in this sense—that the Ballot is to come in force in case of an emergency. Now, I should like to hear my right hon. Friend define what an emergency is. Judging by what has taken place on the Continent, an emergency now-a-days means your capital occupied by the enemy, and a treaty of peace such as has recently been signed at Versailles. Any Bill that comes before us with the word "emergency" is almost self-condemned, even if the means of meeting the emergency were effective. The effect of these 44 provisions will be simply this—that when the emergency in the opinion of the Secretary of State has arisen — and we know how long it is before the Government think an emergency has arisen by the experience of the past—Parliament is to be called together to see that these clauses are to be enforced; and from the time that Parliament meets to decide whether this Bill is to be put into operation, a minimum of 30 days must elapse before you get a single man to meet your emergency, and that man not a trained soldier, but a man whom you then begin to train before he can be put into the ranks to meet Prussian or French soldiers—by that time the French will not be worse than Prussian soldiers. I should like to have the value of 30 days for the purposes of training defined by M. Gambetta, by General d'Aurelles des Paladines, by General Chanzy. They will tell you it will take much more than 30 days to make any man fit to be put into the ranks to defend a nation's safety and honour. I say, then, deliberately, this proposal about the Ballot has been introduced to throw dust into the eyes of the country. It is an absolutely dead provision as it stands. I am an advocate for some arrangement in connection with our military system; but I would sweep such provisions as these away, knowing them to be entirely worthless. I want to see every man serve in his own person; but in this Bill there is a clause that leaves it in the discretion of a magistrate to impose a fine of £100 in case of failure to answer the call under the proposed system. What is that provision but a device to enable a man to get rid of the necessity of personally serving in the defence of his country? I come next to the saving clauses; I thought they might save the Bill. I find one of them is specially introduced for the benefit of the hon. Member for Northampton (Mr. Gilpin), as its object is to exempt Quakers from the operation of the Bill. But that is not necessary, as I have just shown. As to the Army Reserve, there is nothing in the Bill which offers any greater inducement than exists at present to men to enter the Reserve. The Secretary of State proposes that there shall be power to transfer men to the Reserve after one year's service, instead of three years, as before. The idea of transferring a man into the Reserve after one year's service never before entered into the head of anyone. Therefore, I maintain this Bill does absolutely nothing in the way of giving us immediate Reserves. The Report of the Commission shows this. It shows how slowly these Reserves have come in. The Bill does not prevent competition with the Militia; it does not give you men with better physique, and it only provides for 14 days' increased drill. With regard to the Volunteers, it gives you no hold over them. We are told that the Mutiny Act has been applied to the Volunteers by this Bill. The impression conveyed by the statement of the right hon. Gentleman was that the Bill was intended to give the Government increased power over the Volunteers; but it does nothing of the kind. You cannot force a Volunteer to attend parade, or to go to Wimbledon, Brighton, or anywhere else. All it does is to require a year's notice before a man can leave the force, and as the Ballot is a dead letter, that provision is of no effect. If, however, Volunteers are brigaded with the Regular military, they are both under the Mutiny Act. Now, I have a strong feeling on that point. I wish to see the Volunteers as highly disciplined as it is possible for a force to be. I believe that the Volunteers might be made one of the finest and most reliable forces in the country; but you must get a hold over them if you wish to make them so. You must be able to train the men. But, instead of proposing to get a hold over them, all that the Government do is to endorse all that has been said falsely with reference to their want of discipline. The powers in the hands of the commanding officers for the maintenance of discipline among Volunteers are extreme when they are out; but the difficulty is to get them out. When you get them out you have complete power over them. If a Volunteer be insubordinate, the commanding officer may put him under arrest. He is kept under arrest during the whole of the parade, whether at Brighton, at Wimbledon, or in camp. The commanding officer has complete power to dismiss an insubordinate Volunteer—he has greater power in that respect than a colonel of Militia or of the Army. Therefore, I contend that for the maintenance of discipline among Volunteers the proposition of the Secretary of State is wholly unnecessary. I must say that this country deals discreditably towards the Volunteers. At one moment the country extols us to the sky, and at another moment it insults us. We have undertaken for our country's sake to do a duty that is incumbent on all, and we ought not to be unfairly treated if, accidentally, some want of discipline occurs among a small portion of the force. I am astonished not that you should have had one or two cases of want of discipline in the Volunteer force, but that you should have had 170,000 men, for 11 years with arms in their hands, assembling in large bodies, and yet that during all that time you have had so few cases of that kind. It is a most wonderful instance of the power of moral influence, moral restraint, and a sense of public duty. And what is their reward for all this? The Government endorses every falsehood that has been said against them, and puts in these Mutiny clauses. The Government goes out of its way—I will not say to insult them—but to pay them a very poor compliment. That is the view, in the main, of the officers with whom I have conversed on this matter. These Mutiny clauses give you, as I have said, no hold upon the Volunteer force. Therefore, whether you look at the Army, or the Militia, or the Volunteers, this Bill wholly fails in its intended purpose; and in everything, excepting that portion which relates to the abolition of purchase, is unnecessary and absolutely worthless. I apologize to the House for having detained them so long; but I do not think that the time has been wasted if it has enabled hon. Gentlemen to gain a correct view of this question. At the close of last Session the Secretary of State stated that our defences were satisfactory. But public opinion has pressed them during the Recess, and this measure which they have brought in is a tribute to public opinion. It appears to me that this is a political and not a national measure. The whole soul of it is in this purchase question, and that, if I am not mistaken, has been introduced to silence the hollow sound from the Provinces that we have heard during the winter, and to satisfy a section of the Liberal party. The Under Secretary of State said that his right hon. Friend had stated publicly, and in a solemn manner, the fact that the House needed no assurance of, that efficiency and economy went hand in hand. Now in this Bill, I see neither efficiency nor economy. Is it economical to waste for any purpose public money to the extent to which this House is to be asked to waste it, when the objects to be attained can be attained by cheaper and surer means? And is there anything in the Bill which tends immediately—I may almost say remotely—to the efficiency of the Army? All that it does with regard to military organization is to take a leaf out of the Fenian book, to establish a system of "head centres" who are to have charge of what are called brigades of 20,000 men—that is to say, to establish a position in peace which will have no counterpart of any kind whatever in war. It is nothing else but inspection under another name. I say that this money, which is going to be wasted on a secondary question altogether, might be, and ought to be—and it is a breach of trust on the part of the Government that it is not—employed in furnishing greater inducements to men to come out of the Army into the Reserve, greater inducements to men to join in completing your artillery, in giving protection to your commercial harbours, in building a second arsenal, in providing reserve stores of guns, and in arming your forts. What the Government have done is this—they have added 20,000 to the Army. I think so little of these 20,000 men, that if there should be a Motion made by the hon. Member for Huddersfield (Mr. Leatham) to strike off this 20,000 I intend to vote with him—that is, to a certain extent. He will move to reduce the number by 20,000. I should like it to be reduced by 10,000, and that the other 10,000 should go altogether to the artillery, in which you are utterly wanting, which is absolutely essential, and without which you cannot pretend to exist as a nation. But these 20,000 men in addition to your Army are neither here nor there. They are here to-day and gone to-morrow, and if you want proof of the soundness of the words of the Resolution which I have put on the Paper, but which the forms of the House do not allow me to move, that proof is to be found in the total inadequacy of such an increase to meet a great European crisis. Would it have enabled you to have driven the Prussians out of Belgium; would it have enabled you to have fulfilled your treaty obligations? It would not. I maintain, therefore, that this Bill, while entailing further permanent charges on the people of this country, fails to establish a military system on a sound, economical, and enduring basis. These 20,000 men are not enduring; they will be off, and you have nothing to supply their places with. You will also have no certain Reserve. Now, Sir, I hope that this Bill will not pass. I hope I have said nothing in the course of my remarks which could in any way bear a party character, and if right hon. Gentlemen on this (the Opposition) side had brought in this measure, I should have spoken in exactly the same sense. I hope it will not pass, because I think that the honour, the dignity, and the safety of my country at this present moment are at stake. It is for my country's sake that I hope this Bill will not pass. Pass this Bill and you throw away this golden opportunity of once and for ever settling this great question of your Army organization on a sound, an economical, and an enduring basis. Pass it as it stands, every provision, every line, every word; and three years, six years, ten years hence, if we were to find ourselves in the position in which we stood in the month of August last, and during this fearful war, what would it be worth? If, during the years I have mentioned, the teeth of the French were to be cut anew and we were to be engaged in war with that Power with which they have now made peace, if, possibly vivisected daily by the English Press, they were to look across "the silver streak" and threaten us, not a word, not a line, not a provision of this Bill is calculated in any way to meet the emergency or to save us from panic and alarm. Try it by the gauge of my right hon. Friend. According to my right hon. Friend, this measure is intended "to lay the deep foundations of a system which may render danger or the apprehension of danger in the future altogether unknown." I say try it by that gauge, and this measure will be found absolutely wanting. My right hon. Friend in this Bill, so far from laying foundations such as he would lead the House to believe, is inviting Parliament to sow salt on the seashore—to cast millions fruitlessly away. He is endeavouring to build up a military system on which the honour, the influence, nay, perhaps the safety of our country depend; but which I maintain is nothing but quaking bog and shifting quicksands.

CAPTAIN VIVIAN said, in replying to the speech of the noble Lord who had just sat down, he would confine himself strictly to the question which was, or ought to have been, under discussion. Yet his noble Friend had made this task difficult, for for one hour and 20 minutes by the clock he had talked upon every subject under the sun connected with military organization except what related to this Bill. His noble Friend began by a long dissertation on foreign policy; but into that subject he did not believe it his duty to follow the noble Lord. But the very last thing which he should attempt was to reconcile the noble Lord's opinions with his acts. His noble Friend had told the House that he was its most independent Member. [Lord ELCHO: I never said that.] His noble Friend had not said so now; but he had frequently heard the noble Lord say so before. His noble Friend had gone so far as to say that he was the only "unwhipped" Member of the House—using that word in a Parliamentary sense. But, if his noble Friend was not "whipped," he begged to remind him of the old nursery phrase—"Spare the rod and spoil the child." He was ready to give his noble Friend credit for the greatest amount of independence that he could asser. Nay, he would go so far as to say that if his noble Friend lived in the days of Noah, sooner than enter the Ark with Shem, Ham, and Japhet, he would prefer to "paddle his own canoe." His noble Friend had told the House that the proposal of the Government to abolish purchase was a most wicked and uncalled-for waste of public money; and yet what was he going to do? How could a noble Lord, representing an English constituency—[Lord ELCHO: Scotch]—reconcile his opinion of the conduct of the Government in proposing a most wicked and uncalled-for waste of public money with what he had told the House in the next breath, that instead of voting he would walk out of the House? How, then, was it possible to reconcile the noble Lord's acts with his words? His noble Friend said—"You don't provide men. What I want is men;" and in the next breath he told them he was going to vote with the hon. Member for Huddersfield (Mr. Leatham), who proposes to reduce the number of men by 20,000. [Lord ELCHO: I want Reserves.] Reserves could not be made in a day, unless his noble Friend could propose a scheme by which, with the wand of a magician, he could conjure up armed men from the earth. His noble Friend was as impossible to understand in his actions as in his arguments. When at last his noble Friend came to deal with the provisions of the Bill, he told the House they contained the whole scheme of the Government. He would lead hon. Members to believe that outside these provisions his right hon. Friend the Secretary for War had done nothing to create Reserves, or to re-organize the Army. He would ask the House to ignore the fact that last Session a Bill had been brought forward by the Government for the purpose of establishing a system of short service—a system not previously existing, and from which only the formation of a Reserve could be expected. His noble Friend did not, he might add, hesitate to say that purchase was the backbone of our military organization; and, having said that purchase would not be defended, he set to work most elaborately to defend it. [Lord ELCHO: In theory.] A system that could not be logically defended must be practically wrong. The Government, his noble Friend went on to contend, had only two reasons for abolishing purchase—the one being the wish to conciliate the favour of hon. Gentlemen sitting below the Gangway, the other the desire to amalgamate the forces. When at that point of his speech he ventured to interrupt his noble Friend he became very emphatic in his action; but he could assure him there was another reason besides those which he had given. Did not his noble Friend remember that when last year the Secretary for War came down to the House with a very small proposal in the way of the abolition of purchase—namely, to abolish the rank of cornet and ensign—he was met by the obstacle presented by vested interests, and was unable to carry his proposal into effect? There had been since then a Royal Commission, of which the right hon. Gentleman the Member for Northamptonshire (Mr. Hunt) was a Member, and that Commission had unanimously reported that the system of over-regulation prices had been so tacitly admitted that it was no longer possible that they could be ignored. What, then, he would ask, would have been the position of the Government if they had not faced the question of over-regulation prices? They could not have ignored them after the Report of the Commission, and the result would be that they must have asked the House to legalize them. What, again, would be the effect of taking that course? Why, that a colonel's commission, worth £4,000 or £5,000, would have risen in value to something like £7,000, and that a further limitation would be placed upon the class from which our officers were drawn. He did not for a moment mean to contend that our Army was officered by what was known as the aristocratic class; but it was alleged, and he thought with truth, that it was officered by the moneyed classes, and that it was necessary to have money to get on in the service, as, indeed, his noble Friend had himself admitted. It was, indeed, a misrepresentation to say, as had been stated on a former evening by the mover of the Amendment, that a man could get on in the military profession by means of money alone; but he should like to know whether any instance had of late years occurred in which a man having paid his money to obtain promotion was passed over. He, however, took a different ground for wishing to abolish purchase; it was not because a man with money and the necessary qualifications could get on in the Army, but because a man, however great his qualifications might be, could not get on because he did not happen to possess money. An hon. Member (Mr. Buxton) gave as an instance the other evening the case of two of our most famous generals—Lord Clyde and Sir Henry Havelock—who had been passed over dozens and dozens of times because they could not purchase their promotion, and who, there was no doubt, ought in the bloom of their youth to have been in the highest grades of the service because of their great military talents. Such instances as these were, he maintained, of themselves sufficient to condemn the system of purchase. Some of his noble Friend's arguments in favour of the system were, he might add, the most extraordinary to which he had ever listened. He said that purchase enabled us to obtain the services of officers of great physical capability; but, for his own part, he was at a loss to know how health or strength were to be bought. The noble Lord then went on to refer to a speech of his, and had twitted him with inconsistency, although he was kind enough to spare his feelings so far as not to mention him by name. He would, however, beg to remind his noble Friend that the speech in question was not one in favour of purchase, which he proposed should be abolished in every grade except the lower, the reason why he did not propose abolition in the junior ranks being that at the time there was no scheme in contemplation for the amalgamation of the Militia with the Army in any considerable numbers. It was now, however, proposed that officers of Militia should, under certain conditions, get commissions in the Line, and he should like to know how it would be possible to take officers under a non-purchase system and place them side by side with officers in the Regular Army, each of whom had paid £450 for his commission? His noble Friend had proceeded to refer to the cost of buying up the vested interests of officers, observing that the Secretary for War had no right to bring forward any plan involving so large an expenditure until he was prepared to show what the scale of retirement under it was likely to be. Now, as to the cost of abolishing purchase, the figures he had given on a former occasion were pretty much the same as the figures given by the able actuaries, on which the Government calculation was made, and which amounted, in round numbers, to a total of £7,995,000. He must also remind his noble Friend that on the occasion to which he had referred he was speculating on a state of things which would involve promotion by seniority, and not by selection as was now proposed, and when it was not contemplated that a large number of officers should be removed from the Army to serve in the Reserve forces, thereby creating a flow of promotion. As to the flow of retirement under the present scheme, it was impossible to make any reliable calculation with respect to it, until there were sufficient data upon which to proceed, for what would be the state of things two years hence must be a matter of mere speculation. Certain hon. Gentlemen said the other night—"Look at the artillery, and see what you are obliged to do for them." The cases of the Royal Artillery and the Royal Engineers were by no means analogous to that of the Army. And for three reasons—first, the scientific corps were in an abnormal condition, because during the time of the Crimean War, and the Indian Mutiny of 1856, those corps were very largely and suddenly increased, and large numbers of officers were introduced into them, all at once, from the colleges, all exactly of the same age, and who were now naturally stopping—blocking promotion. When those blocks of officers, numbering about 70 of the same age, were broken up and dispersed, and the artillery got into its normal condition, there was no reason why promotion would flag. Again, promotion in the artillery was purely by seniority; whereas it was proposed to introduce, to a certain extent, into the Line the element of selection, which would make a material difference. A third reason why there was no analogy between the officers of the scientific corps and those of the rest of the Army was that the former, who had to undergo the severest examinations, and to be as highly tempered and as highly educated as possible, stayed in these corps and made them a profession to a much greater extent than officers did in other branches of the service. He was glad that some hon. Gentlemen had referred to the principle of selection, because he was very near missing it, and it was a point of very great importance. His noble Friend had said to-night that our regimental system was the best thing for the Army. No one could echo and repeat that opinion with more sincerity than he did. He believed every word of it. There was nothing in the whole of our military matters in which we were so superior to other nations as in our regimental system. But, then, the question that he wanted to ask was this—Did the regimental system depend on the officers going up from the bottom to the top of the regiment? In the first place, hon. Gentlemen must remember that, at the present moment, the authorities, who were responsible for the proper condition of the Army and for the regimental system, sanctioned, to a very large extent, exchanges in the Army. He apprehended that if the regimental system depended so much upon officers staying in the regiment, those changes would not be sanctioned to so great an extent. His noble Friend opposite echoed the sentiment, that the regimental system entirely depended on promotion. He held in his hand a Return, most carefully prepared, showing the present condition of the Army, in which mention was made of the number of field officers now serving in their regiments who had risen from the lowest commissioned rank in them, and the number of those who had come in from other regiments, exclusive of the non-purchase regiments. This Return showed that the number of lieutenant colonels who had stuck to their regiments was 80; those who had joined, and were now in command of regiments to which they did not originally belong, were 86. Going a step lower, he found the majors who had stuck to their regiments were 175; those who had joined from other regiments were 137. Therefore, in round numbers, they might fairly say that one-half of the Army at the present moment were commanded by field officers who were not originally connected with their respective regiments. [Colonel NORTH: You have accounted for 166 lieutenant colonels; but we have not so many.] The Return was perfectly correct. There were 80 lieutenant colonels who had gone from other regiments, and 86 who had not. He could not say when the changes took place. He did not learn that these regiments were less efficient than such as were commanded by field officers who had passed through their respective grades in the same regiment, and it was therefore fair to conclude that the regimental system they all admired did not depend upon the rise of officers through their grades in the same regiment. In the regiment in which he had the honour of serving—the 11th Hussars—the colonel established an admirable system, and no regiment could be in better order. Afterwards Colonel Fraser came into the regiment, and, finding a perfect regimental system, never changed a bit of it; the system remained exactly the same as that instituted by Lord Cardigan. Therefore, general promotion, if it were adopted to some extent, would not affect the regimental system. The Surveyor General would by-and-by reply to the figures of his noble Friend affecting the Control Department; but with regard to the Martini-Henry rifle, whose fault was it if we had not yet a sealed pattern? If it was anybody's fault, it was the fault of his noble Friend. Almost every day they heard of changes of pattern, screws, and so forth, which made it absolutely impossible to have a sealed pattern, or adopt a rifle on the merits of which the Committee had not reported. As to the Ballot, his noble Friend said he would try the Government by his gauge, and asked—"What are your armaments, and what should they be?" Now, before discussing the question of compulsory or voluntary service, it was necessary that the House and the country should make up their minds what they really wanted. Gauging his noble Friend by what he required the Government to buy in the shape of artillery, one thing was clear—if his advice were followed, the Government would have a most astounding bill to present to the British taxpayer. His noble Friend wanted 645 guns, all manned and horsed and fully equipped, and always maintained upon a war footing. If this advice were followed, there must be a standing Army to match the guns. If we were to have an Army ready at any moment to cope with the great Powers of the Continent, he admitted at once that our system would not meet any such requirement, and nothing short of a conscription on the Continental system would meet it. But what did they want? Did they want to keep up the traditional policy of England—the policy based on making their Navy their first line of defence—certain and undoubted supremacy of the sea, and keeping an Army to protect us against invasion, and supplying an ordinary contingent for foreign requirements? If they said this was what they wanted, then he said the Government scheme would meet it, and provide all that was required. He regretted that his noble Friend did not go into the state of our home defences. We had now in the Estimates at home 108,000 Regular soldiers; 139,000 Militia; 9,000 Army Reserve; 44,180 Militia Reserve and Pensioners—a total of 300,180 men, or, adding a force of 170,000 Volunteers, 470,180 men. He was not defending the Reserve as it stood. It was not on a proper footing, and that was the reason why his right hon. Friend had proposed a short service system, in order to establish a fitting Reserve. You could not bring trained men up through the floor all on a sudden; but his right hon. Friend hoped to create a proper Reserve by means of the short service system. The next thing was to see whether this force could not be maintained by voluntary enlistment. They had got on the Estimates a total of Regular forces amounting to 197,111, and that produced of rank and file 180,939. If that system was to become popular, the recruiting system must be largely extended. Last year the House of Commons had to add 20,000 men to their forces. He held in his hand a Return from the Adjutant General of the recruits who had joined in each month from the 1st of August. It was as follows:—During August, 1870, 5,523; September, 4,449; October, 3,410; November, 3,190; December, 4,268; January, 1871, 3,715; February (to 15th), 2,222—total, 26,777. So that if they wanted to get up the strength of the Army to that which he had described, he had no doubt that they would be able to get 32,000 men by voluntary enlistment. With regard to the Militia, communications from the commanding officers showed it to be their almost unanimous opinion that there would be a better chance of obtaining recruits by voluntary enlistment than by compulsory measures. His noble Friend trod very lightly on the question of compulsory service. [Lord ELCHO: I will give you another opportunity.] He knew that every step we took was dangerous—

"Fools rushed in where angels feared to tread."

The noble Lord had proved himself an angel that night. His opinion as regarded the Ballot had undergone considerable change; and he did not appear to have quite made up his mind about it.

In October, 1870, he spoke of the compulsory service as a bugbear, and said the Militia should be recruited by voluntary enlistment, and supplemented by the Ballot; but in a more recent letter the noble Lord expressed his opinion that there should be compulsory service without any substitutes. In September his noble Friend was for the supplemental Ballot; and in October he was for the Ballot pure and simple; to-night he did not state what kind of Ballot he supported. But after the criticism to which he had subjected the plan of his right hon. Friend, the noble Lord ought to have told the House what it was he proposed to substitute for it. He would now refer to the effects of the Ballot with substitutes. In 1807 there were 22,956 substitutes to 3,129 men serving in person. In 1810, 8,101 substitutes to 797 men serving in person. In 1807 the price of a Militia recruit was in three counties from £41 to £45; in six, from £16 to £20; in the Isle of Wight, £10; and, in all other counties, from £20 to £40. In 1810 the price in Merioneth was £15; Tower Hamlets, £12 12*s.*; the rest of Middlesex, £20; Yorkshire, £46 to £55; Wigton, £48; and in addition to these bounties the substitutes in 1810 received £10 10*s.* from Government. On the whole, the aggregate bounty of Army Reserve substitutes and Militia volunteering to the Line cannot be taken at a lower average than £40 per man. Those enrolled for the Militia in 1810 may be taken at £50. The Ballot for the Army Reserve and Militia commenced about August, 1803, and continued till July, 1804. During that period the recruiting for the Army, which in the month preceding the Ballot had raised 1,827 men, dropped down to an average of 688 men per month. During the first six months of 1807, when there was no Ballot, the ordinary recruiting produced 10,418 men more than it had produced in the whole year of 1804, when there was a Ballot for half of the year. During the last six months of 1807 there was a heavy Militia Ballot for about 37,500 men. The ordinary recruiting produced 7,342 men, or above 3,000 men less than in the preceding half-year. The following arguments against raising recruits for the Army by Ballot were advanced by Mr. Windham in the debate on the military establishments of the country in 1806:—

> "Do we mean a conscription which, proceeding by ballot—the only mode I presume to think of—shall be conclusive as to the person on whom the lot falls, and compel him, whoever he may be, to served for a limited term as a soldier? If we do, the hardship would be found to be such as no country could endure."

He compares this to a tax of £1,000,000 divided into 20,000 shares of £50 each, or 50,000 shares of £20 each, levied on persons selected by lot, and remarked that it was easy to see what calamity it must produce. Nothing, he thought, could be so false in principle or oppressive in practice as measures of compulsory service, "which so many without consideration are perpetually calling for." He declared that the feeling of the country was decidedly against the renewal of any measure of the sort for the Army of Reserve, the effect of the trial not encouraging a repetition of the attempt. He added—

> "I will not pretend to say that no such measure can at any time be resorted to. It is impossible to say to what the exigencies of the times and the necessity of the State may drive us. But of this I am sure, that without a more urgent necessity than exists at this moment, measures so oppressive in their immediate effects and so injurious in their lasting consequences, should not be resorted to till it was seen that milder and more legitimate methods were incapable of succeeding."—[1 *Hansard*, vi. 652.]

These were the feelings which operated upon his right hon. Friend, and which had induced him to put aside the question of the Ballot. The noble Lord had railed against every part of the military organization, and said that the right hon. Gentleman had done nothing whatever to reform it. The noble Lord said the whole proposal might be thrown on one side if the abolition of purchase were given up. But, under the scheme of the right hon. Gentleman, it was proposed to establish, by means of short enlistments, a system of Reserves calculated to come into operation with great rapidity. It was further proposed to localize regiments, and to connect them more closely with the places from which they took their names; to form camps of instruction, where the soldier could learn what he had not the opportunity of learning now—almost every description of work that might be expected of him in the field; to provide for regimental depôts; and the removal of the patronage from the Lord Lieutenant to the Crown — a proposal involving an almost constitutional change; but because the scheme did not involve the Ballot—the noble Lord's panacea for all the evils in the Army—he treated all those proposed changes as mere trifles, unworthy of notice. What could be more important than that the Militia should be brought directly under the control of the Secretary for War, and that Militia officers should hold Her Majesty's Commission? Then came the question of the Reserve. It was admitted that it was desirable to increase the number of men in the Reserve as speedily as possible, and how did the noble Lord seek to accomplish that object? Why, by moving that the number of men in this year's Estimates should be reduced by 10,000. The right hon. Gentleman proposed that during peace the Army should feed the Army of Reserve, by passing men through the former as rapidly as possible, in order that in time of war the Reserve might feed the Army. If that principle were adopted, the number of the regimental *cadres* might be safely reduced, as a supply of young and trained soldiers would be forthcoming whenever they were required. The noble Lord had proposed a plan of his own which he had got Sir Hope Grant to endorse; but before he adverted to that proposal, he must be permitted to state that this question was simply one of actuarial calculation to be based upon the maximum which could be arrived at. The calculations which he relied upon were made by two eminent actuaries at the War Office, and had been approved by Mr. Finlaison, the well-known actuary. The plan of the Government was as follows:—That in artillery, engineers, and cavalry one-fourth of the men shall serve for 21 years with the colours, the remainder serving eight years with the colours and four in the Reserve; also that in the foot guards and infantry, one-fourth shall serve with the colours for 21 years. That, as regards the other three-fourths, the regiments for foreign service shall serve six years with the colours and six in the Reserve. That the balance of infantry at home shall serve three years with the colours and nine in the Reserve. Under the plan of the noble Lord the troops would have to serve seven years with the colours, seven years with the first Reserve at 4*d*. a day, and seven years with the second Reserve at 8*d*. a day, making a total of 21 years with a pension of 1*s*. a day. Taking the Regular Army, as it stood in the Estimates, to number 180,989 non-commissioned officers and men, the Government plan would require an annual supply of 32,449 recruits, while the noble Lord's would require only 28,203, and therefore it must be admitted that the latter had the advantage of the former to the extent of 4,000. In the Reserves the Government plan would provide 13,674 men in the fourth year after the system commenced, which number would rise to 61,266 in the seventh year, up to which time the noble Lord's plan would have produced none. In the eighth year the noble Lord's Reserve would reach 22,528, while the Government would have 81,811. The Government Reserve would attain its permanent maximum of 178,964, all under the age of 31, in the thirteenth year. The noble Lord's would reach its permanent maximum of 152,253 in the fifteenth year. In the twenty-second year the noble Lord would have a second-class Reserve of 139,088, consisting entirely of men aged from 33 to 40 and not liable to general service. There would be in the country under the Government plan, under the age of 40, trained men to the number of 202,120, on whom the Government could draw in time of emergency, but who, in the meantime, would cost nothing for pay or pension. The Government Reserve, when full, would cost £1,266,884 a-year. The noble Lord's Reserves would cost: first Reserve, at 4*d*. a-day, £926,163; second Reserve, at 8*d*. a-day, £1,692,281: total, £2,618,444. Pensions.—The Government plan would give 36,285 Pensioners, who, at an average pension of 1*s*. 4*d*. a-day, would cost £882,923 a-year. The noble Lord's plan would produce 519,410 Pensioners, who, at only 1*s*. each a-day, would cost £9,479,240 a-year. The total charge for Reserve and Pensioners would, under the Government plan, be £2,149,807, or £12 0*s*. 5*d*. per man in the Reserve, while the noble Lord's would reach £12,097,684, or an average of £41 10*s*. 6*d*. per man in the Reserve. He doubted whether his noble Friend had ever submitted his plan to actuaries, and was glad, therefore, to be able to lay before the House and the British taxpayer a statement of what they might expect when his noble Friend resigned the command of the London Scottish Volunteers, of which he was so brilliant an ornament, in order to take charge of the War Department of the State. He thought he had shown that the time had not come for introducing a system so unendurable by a free people as the Ballot, and believing that the principle on which the Government scheme was based was the only one which would secure, at the same time, efficient Reserves and economical Army Estimates, he recommended that scheme to the House, in the language of the noble Lord, as being at once sound, economical, and endurable.

Mr. J. S. HARDY said, the Secretary of State might have in the recesses of his mind, or pigeonholes of the War Office, the economical plan of Army re-organization of which he had spoken; but, so far as the present Bill was concerned, there was no indication of it, and no one could doubt that the real object aimed at was the abolition of the purchase system in the Army. He was sufficiently Conservative to object to the policy of destruction. When people attacked a system which had worked well, provided a satisfactory system of retirement, and excited the admiration of officers in the Army which had recently run so victorious a course in France, they should at least find something to replace it. It was acknowledged on all hands that benefit had resulted from purchase. Although no one could defend the system theoretically, its practical advantages were so great that one was naturally led to ask what were the causes of the present Bill. The causes were only two. Either the right hon. Gentleman at the head of the War Office had been convinced by arguments adduced against purchase and its evils, or, yielding to the great outcry raised by him, he had found it necessary to outbid a certain ex-Member of the Government. There were no advantages likely to arise from the abolition of purchase that justified such an enormous outlay of public money. The very worst and weakest arguments against the abolition had been used by military men who were supposed to know most of the subject. It had been said that it was unfair to call upon an officer to go into action with the price of his commission hanging over his head, and that an officer so situated might perhaps neglect his duty on account of his responsibilities as the head of a family; but if the present measure passed, and the Army was officered by a poorer class of men, the same result would be more likely to follow, because the officer would go into action with the knowledge that he and his family had only his pay to depend upon. He was surprised to hear that there was no way of rewarding deserving officers, because the system of brevet was very well known, although no civilian could understand it. The Judge Advocate General (Mr. Davison) had referred to the cost of commissions; but that was only the theoretical argument tried over again. The Financial Secretary at the War Office (Captain Vivian) had used a most extraordinary plea, contending that it would be impossible to amalgamate the Militia and the Army if purchase were continued. After the Crimean War, it was constantly the practice to draft officers from the Militia to the Army, and a first cousin of his own went directly from a Militia regiment of artillery into the Regular Army; and he (Mr. J. S. Hardy) had been himself introduced to a regiment without purchase over the head of, and in the same *Gazette* with, an officer who had purchased his commission. In the cavalry, where large prices were paid, promotion was rapid; in the infantry, where commissions brought a moderate price, promotion was fair; while in the artillery stagnation prevailed which threatened evils to the country, and which it would be very undesirable to perpetuate. By the abolition of purchase, selection or the seniority system must be adopted. The latter could be recommended by nobody, and it had been carried too far even in the purchase time. If selection were adopted no system of confidential reports could put the Commander-in-Chief in a position to know the minutiæ of officers. He believed that confidential reports from others than the colonels of regiments would create an ill feeling between officers of every grade, and would be unsatisfactory both to Commander-in-Chief and all parties. He thought they must allow the lower grades to be put in nomination by the commanding officers. If field officers were to be brought in from other regiments, the result would be that the field officer, for at least a year, would have no knowledge of the officers belonging to the regiment to which he was removed, and he would be totally unable to give advice to the general commanding-in-chief. He (Mr. J. S. Hardy) had served in the Rifle Brigade for a short time, and would have declined to take promotion in another regiment, because he preferred to remain in his own regiment. Reference had been made to the exchanges which were constantly taking place, and the Financial Secretary had calculated that a large number of the colonels did not originally belong to the regiments; but he did not state from what rank they had exchanged, or from what cause they had exchanged. There were many causes for exchange. There were some few in which ambitious men exchanged, thinking they would get on better by the purchase system. Some exchanged for the benefit of their health, and many because they did not like their regiment. He believed that if officers were promoted from one regiment to another, as proposed by the right hon. Gentleman, the *esprit de corps* of regiments would be totally destroyed. At present there was a great demand for commissions, and whilst that demand existed he thought the Government might force upon the officers of the Army a more extended education, so as to improve their military knowledge; but he considered it unnecessary to force this enormous cost upon the country when the benefit would be little or nothing, and the disadvantage to the Army would be very great. With respect to the period of service, he had no doubt that if short service became popular it would be a valuable improvement. The change with regard to the Militia was an enormous change for the better, and also the change in the system of nominations by the Lords Lieutenant, although it might, in some respects, be regarded with suspicion. There was one change that would do immense good if it did not stop the supply of recruits. No one could doubt that the system of taking them for six months for drill would put into the ranks of the Militia a set of men who, when they joined the ranks, would be as well drilled as the recruits joining the Army. But he warned the right hon. Gentleman that it would be useless to attempt to improve the condition of the Militia so long as the system of billeting was pursued, a system which was enough to ruin the discipline of the best regiment in Her Majesty's service in the course of a month. Nothing could be more absurd than the proposal of the right hon. Gentleman that counties should provide the cost of building barracks for the good of the country. That was a national object, and the nation, not the counties, ought to pay the cost. As to the Volunteers, he believed they would never be made a thoroughly satisfactory force until the War Department had a hold over them. The Bill proposed that if a man enlisted for a year he should be exempt from the Ballot for the Militia; but it was stated that except in case of war the Ballot was not to be resorted to. If a Volunteer, however, enlisted for a year and then wished to leave the corps, he simply ceased to attend drills, and the commanding officer had no power over him, except that of turning him out of the corps, and that was exactly what he wanted. Unless some better system than that was adopted, he (Mr. J. S. Hardy) thought the Government would not be justified in making the alterations as to the capitation grants, &c., which the right hon. Gentleman hinted at in his speech on the introduction of the Bill. He could not help thinking that in the present Bill the Government were throwing away a great opportunity. In favour of the purchase system as he was, he should not have opposed the Bill had he seen in it the elements of the future increase of strength in the Army and of prosperity in the country. The right hon. Gentleman had had an opportunity which might never occur again, for many parts of the country were prepared for a much stronger measure than the present. He regretted that the opportunity had been thrown away, and that a parrot cry raised by a Member of the House of Commons should have been taken up by Her Majesty's Government, who were the responsible parties. He regretted that something more solid and beneficial to the country had not been introduced. Had that been the case he should have supported the measure. He should vote with great regret against a Bill which contained so many good clauses; but felt bound to support the Motion of the hon. and gallant Member for Berkshire (Colonel Loyd Lindsay).

Mr. RYLANDS, having complimented the Secretary for War on the ability and clearness with which he had introduced his scheme of Army reform to the House, expressed his disappointment at the fact that the country was to be called upon to bear increased burdens for the purpose of military defence. Past schemes for the re-organization of the Army had not been very encouraging in their results. There had been numerous Royal Commissions, Select Committees of both Houses of Parliament, and departmental committees, and yet the only results of their labours had been continued dissatisfaction with the state of the Army, combined with a constant increase of expenditure for military purposes. It was certainly most disheartening that, although this country paid such enormous sums in comparison with Continental nations, we were yet told that our Army would be found entirely useless for the defence of our shores. The noble Lord the Member for Haddingtonshire (Lord Elcho), in a letter to *The Times*, said that—

> "Without the Ballot our whole military system must continue to be what it now is—an extravagant and wasteful sham, that gives us no real influence abroad, and fails to save us from periodical and well-founded panics at home."

It was, perhaps, true that the vivacity of declamation of the noble Lord, which so often charmed the House, was not always associated with exactness of expression, and in this case there was, probably, some exaggeration; but he was bound to say that many persons believed that there was a considerable substratum of truth in the remarks of the noble Lord, and that, notwithstanding the vast sums expended upon them, our military forces were not in a satisfactory position. What, then, must be the feelings of the poorer taxpayers throughout the country when such things were told them of a system which they were called upon to support by taxes drawn from the labour of their hands and the sweat of their brows? The scheme of the Government, in fact, left untouched the main evils of the present system, and it was proposed largely to increase the expenditure instead of diminishing it. It was, however, maintained by some of his hon. Friends near him, and would no doubt be urged by the Government, that the abolition of purchase—the cardinal feature of the present Bill—would make up for all deficiencies; but even that abolition might, in his opinion, be purchased at too great a cost, and the House ought, at all events, to be made acquainted with what it was proposed to give us in exchange. It was proposed to leave the administration of the Horse Guards untouched, and to place in the hands of the Commander-in-Chief a great increase of patronage and influence. Under those circumstances, he (Mr. Rylands) felt no security that evils might not spring up as great as those of purchase. He was aware that the House had, by a large majority, expressed its confidence in the administration of the Army by the Horse Guards; but out-of-doors a very different opinion prevailed, and if under the rule of the present Commander-in-Chief, and after the large sums of money expended upon it, the Army was considered nothing but a "sham," it was but natural that the blame should be laid upon those who were at its head. In dealing with the question of the abolition of purchase, there was one point upon which he wished to lay great stress—he alluded to the proposal of the Government to give compensation for over-regulation prices. Now, what were over-regulation prices? They were illegal prices, to give compensation for which would cost at least £3,000,000. That proposal the right hon. Gentleman at the head of the War Department sought to justify by reference to the Report of the Royal Commission. He said—

> "They reported unanimously, and he thought he might, without fear of contradiction, say that their Report was strongly in favour of over-regulation prices."

He (Mr. Rylands), having carefully read the Report, ventured to dispute the statement of the right hon. Gentleman. The right hon. Member for Morpeth (Sir George Grey), who was the Chairman of the Commission, had said in that debate they had no right to make any recommendation in favour of over-regulation prices, and his hon. Friend the Member for Birmingham (Mr. Muntz), who was also on the Commission, did not consider that their Report bore the character attached to it by the Secretary for War. But they had the Report actually before them, and what did the Commissioners say? They reported that—

> "The practice has received no formal or express sanction from any public Departments or officers, and the regulation price only of commissions has been recognized and paid by the War Department in the case of payments to the families of officers killed in action, and of purchase of commissions by means of the reserve fund."

That, he thought, could scarcely be considered to be reporting "strongly in favour of over-regulation prices." But no doubt the Secretary for War would urge that the Royal Commission reported that the authorities made no attempt to stop the practice by enforcing the law against it. The Commissioners did say—

> "There has been no real discouragement of the practice by any authority,"

and then concluded by saying that there has been—

> "A tacit acquiescence in the practice, amounting to a virtual recognition of it by civil and military departments and authorities."

That conclusion was scarcely consistent with the fact previously stated by the Commissioners in relation to officers killed in action. If in any case the practice should have received a "virtual recognition" on the part of the authorities, it should have been in the interest of those men, who, fighting as they believed for the benefit of their country, fell in the field of battle and left widows and families, to whom the value of their commissions would be of considerable importance. But even in those cases the Government only paid the regulation prices, and refused to recognize the over-regulation value. Further than this, the Commissioners quote with approval the Report of the War Office Committee of 1859, to whom had been referred the question of the value of commissions, and when it was complained that they had omitted to take into calculation over-regulation prices, they said—

> "It would ill become them as members of a public military department to put forward an estimate of the sum which the public would have to pay as reward or compensation to those who, for their own convenience or their own interests, had deliberately violated one of the most positive and stringent enactments in the statute book."

He commended that opinion of a Committee, composed of distinguished officers, to the attention of the right hon. Gentleman and of the House. The simple fact had been, that the authorities had failed to do their duty in administering the law; but the Commissioners, in reporting upon that fact, cannot surely be taken as reporting "strongly in favour of over-regulation prices." The argument in favour of compensation rested entirely on the plea that the authorities had "winked at" the practice; but why did they not enforce the law? They tell us distinctly that they did not know the law was broken. The

Duke of Cambridge, in his evidence before the Committee on Military Organization. in 1859, said—

> "I can positively state that, officially, I know nothing of it, and that it is impossible that we should, for if we did know it officially we should instantly take notice of it."

He subsequently said he should be very glad if he could see any way in which they could officially put a stop to it. Again, he said—

> "A military authority can only take cognizance of what comes to him officially, and as such, I state positively that we are not aware of any more money being paid."

General Forster, the Military Secretary, gave similar evidence before the Royal Commission last year. He said "in the position he held he knew nothing of the matter whatever," and if it were found out the offenders would be punished. Bnt he went further than that, because, in reply to a further question, he said that not only could they not obtain any any evidence sufficient for a conviction in a Court of Law, but they never acquired any moral certainty of the existence of such transactions. But the fact that the authorities profess to be unable to detect and punish the violation of the law is surely no argument for treating positive and stringent enactments as of no effect. Just consider what had been done by Parliament and the Crown to put down this practice. For 150 years there had been a succession of measures, all directed to that end. The Army regulations in 1720 prohibited over-payments, and in 1766 any officers who so offended were threatened with the "highest displeasure" of the King. In 1783 a remarkable general order was issued, under which every officer who bought or sold a commission was bound to make a solemn declaration, on the word and honour of an officer and a gentleman, that neither directly nor indirectly was anything beyond the regulation price paid or received for the commission; the commanding officer being also required to state, that, to the best of his belief, the regulation price had been adhered to. The order was rescinded in 1824, but during this period, officers and gentlemen were able, by some subterfuge, to make this solemn declaration, paying over-regulation prices all the while. In 1804 the Duke of York sent out a circular to Army agents, who were warned against being parties to such transactions, and informed that the commissions so obtained would, on discovery, be immediately cancelled. The Mutiny Act of 1807 contained clauses on the same subject, and penalties were imposed upon Army agents guilty of the offence. In 1809 an important Act of Parliament was passed, and still remained the law of the land, providing that any officers paying or receiving over-regulation prices should be cashiered; the commission sold, the informer should receive £500 from the proceeds, and persons knowingly abetting should be deemed guilty of a misdemeanour. Every officer, therefore, who had taken part in these transactions was liable to two years' imprisonment. Yet the right hon. Gentleman proposed that the taxpayers of this country should pay £3,000,000, or, as competent persons believe £4,000,000 or £5,000,000, in order to compensate officers, who, for their own convenience and interest, had deliberately violated the law. The right hon. Member for Oxford University (Mr. Gathorne Hardy) said yesterday, upon a Bill then before the House, that that was the first time he had known the Legislature called upon to sanction a deliberate breach of the law; yet the Secretary for War now called upon the House not only to sanction such a breach, but to compensate those who had been guilty of it. If this proposal for compensating officers for breaking the law were carried into effect he (Mr. Rylands) believed it would have a bad moral influence on the working classes, and would lessen their regard for the sanctity of law, when they saw an influential class of society were not only allowed to break the law with impunity, but were rewarded for so doing, and allowed, in addition, to retain the rank illegally purchased. He admitted that it was a vulgar prejudice to say that the Army was an aristocratic service, for there were a number of wealthy men connected with the middle class of society in it. Nevertheless, a large number of the people whose class had no representatives in Parliament, would not be satisfied when they were told that the House was prepared to vote several millions, to pay men for having broken the law of the land. He found already that this feeling was being expressed out-of-doors, for he had seen a newspaper representing the sentiments of the working classes — he alluded to *Reynolds's Newspaper*—and in a leading article the remark was made that the principal ground on which the Royal Commission recommended the payment of this great sum was because the violation of the law had become a system, and because the Commander-in-Chief was fully aware of the practice, and, by not stopping it, was supposed to countenance and sanction it. The article went on to say that it was intolerable that the country should be giving so many thousand pounds a-year to the Royal Commander-in-Chief for encouraging breaches of the law; and if he could not prevent this payment being made, another instance would be afforded of how easily the law was overridden when the interests of the privileged orders were at stake. He knew it was said that the abolition of the purchase system could not be obtained unless the Government were supported in their proposition to pay the over-regulation price; but in his opinion it was far better to wait for a good measure than do wrong to carry a good measure. In 1785 a statesman came down to that House and proposed the disfranchisement of 36 boroughs with compensation; but in 1832 a great number of rotten boroughs were disfranchised without any compensation at all. An additional argument against the proposal of the Government to give compensation for these payments was furnished by the fact that, if such compensation were granted it would offer a great encouragement for the breach of future regulations, and for the growth of another system of illegal payments. Nothing could be clearer than the expression of opinion from competent authorities on both sides of the House, that it would be almost impossible to prevent illegal payments for promotion in future. There was also the distinct evidence of the Duke of Cambridge, who stated before the Committee on Military Organization, in 1859, that if you did away with purchase to-morrow he believed that those officers of the Army who were rich would somehow or the other induce those above them to leave in order to make room for them. The right hon. Gentleman the Secretary for War was quite alive to this difficulty. He said, in laying his scheme before the House, that—

> "There was one important consideration at the root of this part of the question—namely, that if you did not retain selection at every part of the system, you would immediately find, as soon as you had spent a large sum of money in abolishing one system of purchase, you had laid the foundation of another. The security against the growth of another system of purchase was first a rigid enforcement of the law. The next principal consideration would be, that the successor should never be known until his predecessor had left his place; and the third was that, wherever there was the slightest suspicion that any corrupt pecuniary arrangement had formed the basis of retirement, selection should be vigorously exercised to put it aside."

But it must be remembered that all these securities upon which the right hon. Gentleman relies have been tried for a century and a half and have failed. The very Act of George III. which is embodied in the Bill now before the House, is the Act enacting penalties now in operation, but which have been entirely disregarded. Nay, more than this, the Secretary for War does not propose even as many securities as at one time existed, for he omits the declaration upon the honour of an officer and a gentleman which had formerly to be taken. Then he relies upon the principle of selection; but even upon the plan, as laid down by the Government, it is intended that promotion up to the rank of captain shall be regimental, and clearly that promotion must be by seniority, unless in extremely exceptional cases of surpassing merit or extreme incapacity. The Horse Guards could never be justified in passing over a subaltern, for no fault of his own, in favour of another officer of slightly additional merit. You must be careful to insist upon the necessary qualities and attainments in all those who acquire first commissions, and then, practically, in almost every case, seniority must form the basis of promotion. But the right hon. Gentleman says he will stop regimental promotion at the captaincy, and that all higher grades must be Army promotion. He (Mr. Rylands) did not venture to express any opinion upon questions of that character, upon which he had no sufficient means of forming a judgment; but he had been much struck with the fact that, in the course of the debate, hon. Gentlemen of authority, on both sides of the House, had urged very strong arguments against removing officers on appointment, to higher ranks from the regiment with which they had been previously connected. The plan of the Secretary for War, as regards promotion, would not have the force of law, and if, as would be probably the case, the pressure of interests within the service, as well as that of opinions outside, forced the Horse Guards to carry regimental promotion, in most cases, up to the lieutenant colonelcy, the main securities relied upon by the right hon. Gentleman would disappear. If you have regimental promotion chiefly by seniority, no Acts of Parliament, however penal, and no Royal Warrants, however stringent, could prevent the junior officers in a regiment clubbing together a sum of money to induce a senior officer to clear out of the way so as to secure a flow of promotion. But how did the public suffer by a proceeding of that kind? He was unable to see the slightest public disadvantage in this system of bonus on retirement, which prevailed both in the Indian Army, and in the non-purchase regiments at home. Now, he wished the House to consider for a moment what the nature of regulation prices was. It was simply that the Government, finding that commissions in the Army were articles that could be bought and sold, determined to fix the market price of the commodity, and naturally failed as Governments always have failed, when they have sought to fix by law the market prices of commodities, which necessarily rise and fall with supply and demand. The over-regulation prices represented, in fact, the premium which the commissions commanded in excess of the regulated market price, and this premium rose and fell with the fluctuations of the market. In time of war it disappeared altogether, for men were disinclined to pay a heavy premium for the privilege of being shot at. In the Crimean War there were no over-regulation prices, whilst at the present moment, when the prospects of peace were greater than had been known during that generation, the value of commissions was at its maximum. It was under these circumstances that the Government asked the House to buy up these over-regulation prices—not as a prudent merchant would do in purchasing goods when the market was at the lowest—but at a time when the market value of the commodity was exceptionally high. If the House sanctioned this impolitic proposal, what would be the consequence? The right hon.

Gentleman might entirely fail in preventing bonus payments taking its place, and in that case the expenditure, on account of over-regulation prices, would clearly have been useless and wasteful. But supposing he were to succeed, what would be the consequence? You must either find money out of the public purse to induce the retirement of senior officers, or you would have a block in the Army without any flow of promotion. You would then have the Secretary for War coming down to the House asking for a Vote for retirements, amounting to a large sum, estimated by competent authorities at from £500,000 to £1,000,000 a-year. He (Mr. Rylands) strongly urged upon the Government that they should content themselves with paying the regulation prices and abolishing the purchase system—that would get rid of the vicious element in the system, by means of which deserving officers were bought over by young men whose only qualification was their wealth. The over-regulation prices, in the mode in which they now existed, would disappear without any cost to the public, and then would only remain the system, under which, by the voluntary contributions of his juniors, compensation would be given to a senior officer on his retirement, and so the flow of promotion would be secured, which was necessary for the contentment and efficiency of the service.

Colonel LEARMONTH said, he thought that the House would admit that the present subject was a most serious one, for it was neither more nor less than an entire revolution in the whole system of our national Army. He had some practical knowledge of this matter, having spent some years in the Army. The re-organization of the Army had been brought before the country during the Recess, and the Government had no course open to them but to bring in some scheme, and their scheme should have calm consideration on both sides of the House. Having listened to the whole of the debate, and considered what had been said, he must say that he had heard nothing that at all altered his opinion that it was a most serious thing to interfere with the present system of officering the Army. He had served both in the Crimea and in the Indian Mutiny with his regiment, and he felt bound to stand up in defence of the regimental system, to which he attributed the great success of our Army both in the Crimea and also during the Mutiny, where that system was tried most severely. Our regimental system was as near as possible perfection, and it was a most serious thing to attempt to interfere with it. While protesting against the total abolition of purchase in the Army, he must express his still stronger disapproval of the system of promotion by selection. He was convinced that such a system would really work very badly for the interior economy of regiments. An officer entering the Army under the present system had a certain prospect, if he did his duty and arrived at the position of senior captain, of becoming major, and a very good prospect of obtaining the command. This was a great inducement for the right class of men to enter the Army and to remain in it. Under the proposed system an officer would have no such certainty; he would have the chances both of seniority and selection against him, and this would throw a cloud over the prospects of every officer and damp the *esprit de corps* that now existed. An officer would say to himself—"This is not my regiment; I have no chance of succeeding to the command of it; I do not care about the regiment, and I will take things easy." At present a man's regiment was his home, and it was his one idea to act so in his military career that he should be a credit to the regiment which he hoped to command. Our Army was totally different from those of other countries, and no hon. Member must try to model our Army upon the German and the French system; it was the British system that they must look to—that, and that alone. Our Army was different from all others in this—that it was a voluntary Army. We had no conscription, and he hoped that we never should have. We had the highest gentlemen in the land, men from the middle class, and even from a lower rank still, as officers for our Army; so that different classes were very properly thrown together. We had officers whose whole care and thought were for the benefit of their men, and their men would follow them anywhere in the world. No task had ever been set to our Army that they had not performed. The Government said they were prepared to pay the regulation price and the over-regulation price; but this was wasting the time of the House. He wished that hon. Gentlemen would hesitate before they meddled with the present system. The Financial Secretary for War had given details of colonels having commands of regiments who had not risen from the lower ranks in their regiments; but, no doubt, most of those cases resulted from the fact that second battalions had been added to the regiments in question, or that the officer had returned to his regiment after a temporary absence. In his own regiment not one officer had risen to the command who had not risen from the lower ranks. He knew at the present time a regiment, second to none in the Army, where the officer at present in command of it had not purchased a single step, except his first commission as cornet. There were doubtless anomalies in the purchase system; but with all its faults it was a system which had worked admirably. The Army had never failed. It had always performed its duty. Why, then, alter it? They had officers of the very best kind; but they wanted men. It was a step in the right direction to have cadets attached to regiments in the way which had been proposed. They wanted re-organization, a proper system of transport, the supply of provisions and medical comforts. It was the civil element that failed. The chief lesson which he had learned from the late war between France and Germany was, that in the German Army care was taken that the fighting men were at the front provided with everything necessary to keep them in the field. This was a point where the English failed. They nearly failed in the Crimea from the foolish economy of starving the soldier. In Abyssinia we had not a very great enemy to contend with; but the country was unhealthy. And how was that war made successful? The general had everything that was wanted; and the honour of the country was saved.

Major DICKSON regretted that Estimates should have been laid upon the Table which did little more than restore the men removed by the Estimates last year, which made no provision for the increase of the Militia, and which made no additions to the purchase of war material. Even those whose interest in the Army extended no further than a desire to see a good defence of our shores maintained, would be disappointed by a measure which simply trifled with the great question of the re-organization of the Army. The world had just witnessed events which had no parallel in history; and those events showed how necessary it was for a country wishing to preserve its position in the world to be prepared for war even in the time of peace. Was the first duty to be provided for to place England in a position not only to defend our shores, but to guard the honour of England under any circumstances? Did it mean the maintenance of any treaty to which we had become a party, believing that its maintenance was necessary for the welfare of mankind in general? How were they to organize a body of trained soldiers, so that they might be able to resist an invasion? The affairs of Europe were never more critical. Undoubtedly, in theory, the purchase system was wrong; and, if about to establish a new Army, he would not introduce it; but in practice it had worked well, and this was not the opinion of merely English officers, but of the officers of Europe, General Blumenthal among the rest. Ought they not, then, to pause before they put the country to this enormous expenditure, to abolish a system admitted on all hands to work well, and especially as the abolition of the system was not accompanied by anything like an extensive system of re-organization. He could not think the experiment was worth the cost; while in establishing in the Army two classes of officers—the paying and the nonpaying—it would raise difficulties greater than could be at present imagined. It was not consistent in the right hon. Gentleman to refuse to allow more than a certain number of officers to realize their commissions in any one year; for many private and domestic reasons might render such a realization necessary. Under the Bill, an officer could not retire, no matter how urgent might be his case, unless he was prepared to sacrifice his money for the benefit of the State, and if the right hon. Gentleman thus refused to do justice to the officers who were now serving he would be insulting a body of brave men. The right hon. Gentleman, on introducing the Bill, truly said that the purchase system was co-existent with the Army, and under that system English officers had, with rare exceptions, done their duty. The difficulty of providing a sufficient amount of promotion under the non-purchase system was one that would inevitably have to be encountered, yet the Government had not come forward with any adequate scheme of retirement. That very fact was in itself an admission of weakness, and an evidence of want of statesmanship. The rules and regulations which were intended to supplement the abolition of purchase were looked upon with alarm by officers, who feared that those rules would lead to favouritism; and, although the right hon. Gentleman might not desire to work injustice, he must remember that he was legislating not for himself only, but also for those who would have to follow him. The arguments usually alleged in support of selection were fallacious, and would not bear examination. In the case of the Indian Army the system had been introduced under circumstances sufficiently familiar to hon. Members, and which had no parallel in the circumstances of our own Army. And even in that instance the officers were selected not in the manner now proposed or possible, but from the great mass of officers thrown out of employment. The regimental system was involved in the present proposals of the Government, and the sacrifice of that would involve the destruction of the *esprit de corps* which was so indispensable an element of a satisfactory Army. He could not congratulate the right hon. Gentleman on the manner in which he proposed to re-organize the auxiliary forces. For many years we had maintained a Militia which was of little more use than to afford a field for the exercise of patronage by political Lords Lieutenant, and the Volunteer force, in its present stage of organization, only gave the opportunity to a few local celebrities to assume military rank. The proposals of the right hon. Gentleman would fail to re-organize these forces. The Militia and Volunteers were the most unsatisfactory of our Reserves. They were badly officered, had little discipline, and their interests were antagonistic. If the Volunteers were to be of real service, they should be placed under military discipline and control. By all means let gentlemen play at soldiering as much as they pleased; but if men received the money of the State they were bound to render in return real and substantial service. Every Volunteer, he considered, ought to be bound to serve for a fixed period, and during that time the State ought to have the absolute power to command his services in case of invasion. In regard to the Militia, the Bill fell far short of his expectations. He had hoped that the line of demarcation between the Militia and the Line would have been absolutely swept away. He believed that England required only an Army composed of two parts; the first drilled and disciplined for garrison work at home and abroad in time of peace; the second, an Army of Reserve; but, unless under any other system that might be adopted they were prepared to adopt compulsion, short service might be a failure, for they would never have the bloom of the youth of the country in their ranks. It was his conviction that permanent service abroad demoralized both officers and men, and that it was succeeded by insubordination. When he first landed in India he found a state of things that was enough to make his hair stand on end; there was insubordination to an alarming degree, and he understood that it was ultimately succeeded by mutiny. In regard to the proper method of military re-organization, he considered that every regiment in the Line ought to have two battalions; that England ought to be divided into military districts, to be sub-divided into regimental head-quarters, at which either the first or second battalion should always have quarters, and that each regiment should have a reserve battalion formed by the re-organized Militia. But he found that this Regulation Bill would unsettle everything, and would regulate nothing. He opposed the Bill, because it put the country to an enormous expenditure with no equivalent results; because it abolished purchase without doing full justice to officers; because it contained no comprehensive scheme of retirement; and because the substitute provided by selection would introduce favouritism and political patronage into the Army. Had the right hon. Gentleman called to his counsels practical military men he would have found no insuperable difficulty, but he would have given the country an Army which would have commanded confidence at home and respect abroad.

Sir HENRY STORKS: I have listened with great attention to the speeches made on both sides of the House in support of the Amendment of my hon. and gallant Friend the Member for Berkshire (Colonel Loyd Lindsay); but I have heard no solid reason or good argument why that Amendment should be supported, and why the second reading of this Bill should be rejected. I am not going to trespass on the House with any lengthened statement of the merits or disadvantages of the present Army system; but I may be permitted to observe that it does appear a strange anomaly that this House should be called on annually to pass an Act regulating the numbers and discipline of the Army, which Act commences by stating in its Preamble that the keeping of a standing Army in time of peace without the consent of Parliament is contrary to law; and, at the same time, that officers of that Army should have acquired vested rights and pecuniary interests requiring the Government to come down to this House for an Act of Parliament and for a large Vote of public money with a view to their extinction. The purchase system is conducted according to a procedure so complex, so extensive in its ramifications, and so varied in its transactions, that I do not hesitate to say that the dealings and transactions of the Stock Exchange, with its bulls and its bears, its script and debentures, its time bargains and its contangoes, are much more intelligible than the rules and regulations which govern the system of purchase in the Army. Moreover, it is not only the system of purchase and sale of commissions, but there is also the question of exchanges between officers on full and half-pay, and between officers in one regiment and in another. These transactions are conducted by irresponsible agents, and extended even to adjutancies of Militia and Volunteers. I hold in my hand a paper published last month, and headed "Army Arrangements." Now, I find that almost every rank in the Army is here represented. We have colonels, seven lieutenant colonels, besides those on half-pay, seven majors, besides those on half-pay, 26 captains, besides those on half-pay, and 19 lieutenants. One person offers to give a bonus, and so the list goes on. Now, all those transactions and Army arrangements have a pecuniary value attached to them, and therefore they are equally as complicated as the system of purchase and sale in the Army. I may mention that this paper is published by an unauthorized agent; but I do not choose to give his name in public, though I shall have no objection to give it to any hon. Member who may feel interested in the matter. I ask hon. Members whether they think transactions of this kind conduce to the efficiency of the Army? Certainly no one can defend the principle of such transactions. I can only regret that such dealings, whether in the sale and purchase of direct commissions or in exchanges, have got to the pitch and height at which they have now arrived. My right hon. Friend the Member for Newcastle (Mr. Headlam) adverted the other night to the position of officers ordered either on active service in the field or to the Colonies, and I entirely agree with him in what he said as to the position of officers so circumstanced. I do not believe any officer goes on foreign service, or on active service in the field who does not think of the danger he runs in connection with the price of his commission. The Government have found, in considering every project submitted to them for the re-organization of the Army, that these vested interests presented themselves at every turn. No reform in regard to the organization of the Army can be effected until these obstructions have been removed. My right hon. Friend behind me (Mr. Cardwell) came down to the House last year and proposed the abolition of the rank of cornet and ensign — a proposal which emanated from my right hon. Friend the Member for Droitwich (Sir John Pakington) when he was Secretary of State for War. My right hon. Friend was, however, obliged to withdraw his proposal in consequence of these obstructions. Even if you want to raise a new battalion you experience difficulties of the same sort, for if you do not give the promotion in the regiment you interfere with the vested interests in the promotion. Thus, whenever the Government attempted to do anything, they always found these vested interests in the way. The experience of modern warfare, and the great events we have lately seen, have shown that a professional class of officers in the Army is absolutely required; not only officers who are sufficiently instructed in the ordinary regimental duties of their grade, but officers professionally instructed in the more or less scientific parts of their profession, and who, when they take the field, will be thoroughly capable of performing their duty in every situation in which they may be placed. Now, it is very difficult to get that class of officers under the purchase system ["No, no!"]; because it is difficult under that system to get a class of officers who are determined to remain in the Army, as many persons enter the Army with the intention of retiring from it after the lapse of a few years. I appeal to my hon. Friends in the military profession on both sides of the House to say whether this is not the case. The Government, under these circumstances, have come forward with a measure of a very liberal character. It is not intended in any way to improve the condition of purchase officers; but it is intended to meet every equitable and just claim which may be brought forward for compensation. Nevertheless, I hold that the proposals of the Government do improve the position of the purchase officer. Under the present system, an officer, wishing to retire from the service, has to wait till he can find a purchaser, and, as many of us very well know, it is often very difficult in regiments to "make up the money;" but, under the Bill, a purchase officer who wishes to retire from the service will not have to wait till he can find a purchaser, as he will always find the Government ready to purchase both with regulation and over-regulation prices. The Government had been charged with acting unfairly because it limits the number of officers who will be permitted to sell out. It is obvious, however, why this restriction was introduced. If every officer had a right to sell, great inconvenience to the public service would result. The Government, therefore, determined to limit the number of sales, and their proposal is based on the average number of sales during the last five years. A clause has, however, been inserted in the Bill enabling the Government to deal with any extraordinary cases which may arise. I hold, therefore, that no injustice is done to the officers in the Army by the limitation. It has been mentioned, in the course of this debate, that it would be a right thing immediately to reimburse the purchase officers the money they have expended in purchase. But I cannot help thinking there would be great injustice in that, independently of the fact that it would stop promotion. Perhaps, I may be pardoned for illustrating this personally. When I was a lieutenant, I purchased over four lieutenants and became a captain; when I was a captain, I purchased over four captains and became a major. Now, according to the theory laid down in the course of this discussion, I ought, under these circumstances, to get all my purchase money back, and still retain my commission, pay, allowances, *prestigé*, and everything. Why, what would my brother officers, over whose heads I passed, say to such an arrangement? I would also ask hon. Gentlemen who propose such an arrangement what would become of officers who have gained the money value of their commissions by length of service—£100 a-year for every year of foreign, and £50 a-year for every year of home service? Are all these claims to be liquidated? With reference to promotion, the proposal is that ensigns and lieutenants should be amalgamated. Having looked very carefully into the question of selection, I do not think it is open to the objections which have been urged against it. If general officers commanding districts and divisions do their duty, I cannot see that selection will be a very difficult thing. I do not think there is that objection to confidential reports that has been suggested. They now exist; they are made every half-year; but when a report is not in an officer's favour, he ought to be told what is wrong, in order that he may have an opportunity of amending. I never made a confidential report against an officer without informing him of it. It is very important he should know what is defective on an inspection, because by the next inspection he may improve so as to be worthy of promotion. I really cannot see there is any difficulty in the matter. The system prevails in other countries; it exists in Austria. I have seen a good deal of the Austrian Army, and I never heard any objection urged against the means instituted to test the capabilities and the qualities of officers. We have heard a good deal said about the regimental system, and it may be viewed in two aspects—military and social. With regard to the military aspect, if we understand by the regimental system the superintendence of the men by their officers, I cannot see why they should not be as well looked after under a non-purchase system as they are now. I doubt very much whether it is desirable that officers should continue to serve in the same regiments. By doing so I think officers are apt to get narrow ideas; to think nothing of the general service and only of their own regiments; and to become restricted in their views like persons who live in small communities. On this point I will, with the permission of the House, quote a letter I have received from a distinguished officer who has seen considerable service. He says—

> "I am entirely in favour of the abolition of purchase, and think the Government have acted in the matter with the greatest liberality. The purchase system is, in my opinion, bad in every way. It has a tendency to make officers think less of their obligations to the public and the duties of their profession in time of peace; they are apt to look on their commissions as their own property, and there is great reluctance in getting rid of inefficient officers on account of the large sums they may have invested. Our best officers are frequently lost to the service (especially when married and with families) rather than risk the money they have paid. . . . Under the regimental system, by which an officer, as a rule, rises from ensign to lieutenant-colonel in his own corps, his ideas become prejudiced and confined, and he has less at heart the interests of the service at large than those of his own regiment. There are a sensitiveness and touchiness about regiments which render officers of other corps extremely reluctant to act up to the Queen's regulations in checking irregularities which come under their notice on duty and otherwise. It must strike everyone the great want of unanimity among military men on the most important subjects of the day in connection with their profession, and, consequently, the little weight our opinions have with the public; and this is more or less traceable to the present system, and the difficulty an officer has in freeing himself from the prevailing opinions of the regiment he has spent his life in. . . . For an Army to be successful in the field it must be carefully trained in time of peace, requiring all the care, energy, patience, and professional pride of which officers are capable. . . . In time of war there is no self-sacrifice or privation that our officers are not equal to; but in these days of rapid campaigns—of railroads and telegraphy, and other means of improved communication and locomotion—there is no longer the time to train on the commencement of hostilities, as in the long wars of former days, when organization was pretty much on a par among the armies of Europe, and no breech-loaders and arms of precision existed, which render mistakes so fatal, and call for the most intimate knowledge of their profession and the art of war from officers of every rank. It is admitted on all sides that our officers do not make a profession of the Army in the same sense as abroad; off duty military topics are looked on as so-called 'shop,' and considered by the junior ranks rather a bore. I really think that the purchase system tends so much to impair the efficiency of the officers of the Army, especially in the junior ranks, that the country ought to get rid of it at any expense."

It is only fair I should mention who my correspondent is, and he has given me permission to mention his name; it is Colonel Cameron, of the 4th Regiment; and perhaps I may trespass on the indulgence of the House by stating what are his claims to attention, as recorded in *The Army List*—

> "Colonel Cameron served in the Grenadier Guards during the Eastern Campaign of 1854, including the battle of the Alma and the siege of Sebastopol, as Assistant Engineer, Right Attack. He was severely wounded on the 20th of October, while in command of the Volunteer Sharpshooters of the 1st Division (medal with two clasps, Knight of the Legion of Honour, fifth class of the Medjidie, and Turkish medal). Commanded the 3rd Regiment German Legion, with commission of lieutenant colonel, from May, 1855, to November, 1856, out of which time seven months in Turkey. Commanded the 1st Battalion 4th King's Own Regiment throughout the Abyssinian campaign, and was present at the action of Arogee and the capture of Magdala (mentioned in Lord Napier's despatches as having won his admiration by the manner in which he has commanded his excellent regiment, and the soldierlike spirit which, by his teaching and example, he has so well fostered and maintained); brevet of colonel, C.B., and medal."

Even now officers do not always remain in the same regiment, and there are some who have been in many regiments, and my hon. and gallant Friend (Captain Vivian) quoted a Return relating to field officers now serving with their regiments which showed that while there were 80 lieutenant-colonels who had risen from the lowest commissioned rank of their present regiment, there were 86 who had joined them from other regiments. I do not think that what is called the regimental system will in any way be injured by the abolition of purchase. I am sure that every hon. Member will agree with me that the social system of the British Army is, on the whole, excellent, and that there is a good feeling among the officers. If anything can be done to stop extravagance and expenditure it would be most important not only as affecting the happiness of the officers, but also as affecting the well-being of the men. Coming to the second part of the Bill, I may say I do not believe compulsory service to be possible in England. In the Bill there is a clause empowering resort to the Ballot in an emergency. My noble Friend (Lord Elcho) has asked what an emergency is. I should think it would be anything like a threat of invasion. Although you may have in your Bill power to resort to the Ballot, which means compulsory service for the time, such is the feeling of this country that it would be quite unnecessary to resort to the Ballot, because men would voluntarily come forward to defend their country in such numbers as to supersede the necessity for the Ballot. As to Reserves, time is required to form them. That could not be accomplished in a day. What is wanted is sustained and not spasmodic effort — constant, steady, persevering effort to arrive at perfection. Such is the system pursued in Prussia and in the German Army. When we see the great results of the recent war, we cannot but admit the perfection of that system which Prussia has been steadily completing since 1806, after she had suffered very great losses. Our policy ought to be continued, steady, persevering efforts until we arrive at perfection. To arrive at that the abolition of purchase is the first step. I cordially concur in what has been said about improved organization; a great deal has been done in that direction, but much remains to be done. The object we have in view is to define duties and fix responsibilities. Our endeavour has been to decentralize the Army, and to make general officers commanding districts responsible for the discipline and efficiency. They should be held responsible, and should not be able to blame either the Horse Guards or the War Office; and the policy of enabling them to discharge their duties properly and of holding them responsible is that which it is intended to pursue. Before sitting down, I wish to say a few words on another branch of the subject. I wish to live with the times, and to see the Army, like other institutions, reformed; but as a great deal has been said against officers in the Army, I wish to say for them that I think they should be treated with some indulgence. I can recollect the day when a professionally educated Army was decried, and I have been told that I am acting contrary to constitutional principles when I say that we really do require an Army of men educated for their profession, and not an Army officered by men competent to perform ordinary duties only, and who, when those duties are performed, retire to the enjoyment of the special pleasures belonging to their social station. The officers of the British Army have done their duty on all occasions, and under all circumstances, although they are placed in a position different from that occupied by the officers of any Army in Europe. They are called upon very often to perform duties of a very distasteful character, involving long exile in unhealthy stations, and with none of "the pomp, pride, and circumstance of glorious war." I am not a *laudator temporis acti*; but I must be permitted to express an opinion that in all cases they have done their duty with zeal, loyalty, and efficiency. I would also, with the permission of the House, say one word in favour of the rank and file. The rank and file of the Army, no matter how they have enlisted, or whence they come, have proved themselves brave men in battle, patient under privation, loyal to the Crown and country, devoted to their officers. They have been brave men, and I think the Army of the future —if I may so style it—will do their duty with equal zeal, efficiency, and courage. But, Sir, I think it will be well also if the Army of the future turned occasionally to the page of history, and learnt to emulate the great deeds of those who have gone before them.

LORD GEORGE HAMILTON said, he was bound to admit that the opinions of the right hon. and gallant Gentleman who had just sat down were worthy of respect; but he could not agree with the opinions he had expressed in reference to the abolition of purchase. In the few remarks he intended to make he should consider the question—firstly, in the interest of the officers—in the interest of those men who had invested large sums of money in the purchase of their commissions; and, secondly, in the much wider interest of the nation. He should consider whether they were likely to obtain so much more efficiency in the Army, by adopting the proposals of the Government concerning it, as to justify the expenditure of the enormous sum necessary to effect the abolition of purchase. He admitted there were anomalies in the purchase system; but the blame for them was due to successive Governments, who had been paid large sums of money for commissions by officers, and who believed the conditions of their contract to be that if they remained in the service and proved themselves efficient, they would one day command the regiments in which they had the honour to serve.

The Government now, however, sought to break their contract, and ought, therefore, to bear the consequences of so doing by compensating the persons injured by the line of action they proposed to take. The Government Bill would, by abolishing purchase, place officers of great experience and length of service under great disadvantages as compared with their juniors, and even if it would effect reforms in some directions it would be unwise to cause officers to associate these reforms with the Bill which had, in their opinion, inflicted great personal hardship upon them. He was, therefore, in favour of the proposal of the hon. Member for North Lancashire (Mr. Stanley) that Government should either compound at once with the officers, or enter into an engagement to pay them a certain sum of money in the shape of compensation at the expiration of a stated time. He had thought before hearing the speech of the right hon. and gallant Gentleman who had last addressed the House, that Government expected after their Bill passed to draw the officers from the same social rank which now supplied them; but the right hon. and gallant Gentleman expressed a wish to have in the future a professional class of officers. [Sir HENRY STORKS: "Professionally instructed" was the phrase I used.] By such an officer he should understand one who was dependent for the means of sustenance solely on his pay, and, if he was right in so thinking, the successor to the present Lord of the Admiralty in the post he lately held would have his hands full of work in attending to the large number of applicants for out-door relief who would be called into existence by the working of the plan. It had been said that the regimental system would not be affected by the adoption of the new mode of promotion proposed by the Government; but his experience taught him that the contrary would be the case. Now that a man knew he would be promoted in the regiment in which he had served he would remain in that regiment, though, as in the Rifle Brigade, promotion was slow, and would do his utmost to maintain and improve the efficiency of the regiment whose traditions he so much loved. The case of the 11th Hussars, to which Colonel Fraser had been appointed from another regiment, and in which the excellent service in existence before Colonel Fraser's appointment had been maintained and continued by him, was alluded to in support of the theory that the Government plan would not effect the regimental system. But it simply proved, if it proved anything, that Colonel Fraser was a practical officer, for, if the officer appointed had, instead of being sensible and conciliatory, been cross-grained and self-opinionated, he would probably have thrown over the traditions of the regiment in favour of his own views, and nothing but dissatisfaction and heart-burning would have resulted. On a previous evening the hon. and gallant Member for Hereford (Major Arbuthnot) called attention to remarks made in a preceding debate by the hon. Member for Brighton (Mr. Fawcett) to the effect that Government could not expect competent engineers to go out to India for a miserable annual pittance of £240, and he asked how, then, could they think it likely men would enter the Army for pay amounting to only £90 a-year. This was a very clear and convincing way of putting the point. It was a matter of pounds, shillings, and pence. If Government wished to secure the services of professionally educated soldiers, who were entirely dependent on their pay, they must construct an increased scale of remuneration, and so entail much additional expense on the country. One of the objections raised against the purchase system was that under its operation incompetent officers could not be got rid of; but those who brought this objection forward forgot or chose to ignore the fact that the Commander-in-Chief was bound to rid the Army of any officers who proved themselves to be either incompetent or inefficient. It was the height of absurdity to talk about the competency or incompetency of the men in the lower ranks in the Army. To ensure an efficient and economical Army some practical test should be applied to the heads of Departments, because it was absurd to lay down regulations for the lower grades of officers when it was well known that the heads of Departments appointed were entirely ignorant, as in the present instance, of the wants of the services over which they were to preside. The right hon. Gentleman the present War Minister had, however, during the two years he had presided over the War Department, applied his great ability to the subject, and had succeeded in becoming pretty well acquainted with the subject, and he had no doubt the present First Lord of the Admiralty would do the same. At present heads of Departments had entirely to rely for information on subordinates, which was a bad system. As long as their subordinates knew that they were dependent on them for information, they would take a great deal more upon themselves than they otherwise would do. As to the proposal for the abolition of purchase, he could not see in whose interest it was made. If we were to have exactly the same class of officers hereafter as now—that was to say, officers in the same social grade—men with some slight means of their own, and the majority of our officers were such—and who did not object to the purchase system, it was perfectly clear there was no use in abolishing purchase for their sake. As to non-purchase, or poor officers, it was perfectly clear the abolition of purchase would not benefit them, because they rose more rapidly under the present system than they would under that which was proposed. The right hon. and gallant Gentleman who had just sat down gave a few instances of officers who had been unable to rise on account of a want of money, and he thought it was the hon. and gallant Member for Truro (Captain Vivian) who said that no man, whatever his qualification, could ever rise in his profession unless he had money. Now, in the regiment in which he (Lord George Hamilton) had the honour to serve, there were two gentlemen who had risen from the ranks; one of them was a Staff officer and the other was paymaster. The Staff officer was a most distinguished man. He had served in almost every part of the world, and he had requested him (Lord George Hamilton) to oppose the proposed change —it worked well for the Army, and in his case it represented many thousands of pounds. Turn whichever way he would, he could not see in whose interests this proposal was made. It might be said that clamour out-of-doors had urged the Government to make this proposal; but he should have imagined that the Government was strong enough to have resisted clamour out-of-doors. No doubt the purchase system was wrong in principle; but every practical man knew that it worked well. The more men examined into the purchase system the more they became in favour of it. Strange to say, a Vote was to be taken on the Estimates of £5,000 to pay out old captains and lieutenants out of the artillery, in order to give some impetus to promotion, and it does seem absurd that we should pay an immense sum of money to abolish a system which has worked well for one which, as this Vote clearly demonstrates, has not worked well. If the present proposal were carried, it would be impossible to go on with the regimental system, and hon. Members on the Treasury Bench were aware of that fact, for nothing would give greater dissatisfaction, and destroy that *esprit de corps* that at present prevailed, than to adopt a system that would put young majors over the heads of old captains in the same regiment. The House had been told that the officers of Her Majesty's Army were opposed to all reform. He denied that they were opposed to reform; but they had a great dread of civilian interference, and he thought the reasons were obvious. It was just possible that in the wars in which the Army had been engaged during the present century the generalship was not so good as it might have been, and that there had been a little want of stratagem. That, however, was made up by hard fighting and valour on the part of officers and men; but everyone of those departments in which the civilian element predominated was characterized by incapacity and inefficiency. During the Crimean War the Commissariat broke down in a manner almost unparalleled in history. Committee after Committee were appointed to examine the cause of that break-down, and if the officers of Her Majesty's Army had a dread of civilian interference, they had a greater dread of the influence of the hon. Member for the Border Burghs (Mr. Trevelyan) than any hon. Gentleman in England. They had been told he was an hereditary Army Reformer, and it would no doubt be recollected that a certain relation of the hon. Member had accomplished a reform—namely, the transfer of the Commissariat from the Treasury to the War Office, but it was an involuntary reform, and only accomplished after the Crimean Army had been almost destroyed. It was not, therefore, surprising that the officers and men of the Army looked forward with some dread to any proposal that came from a member of the same family. He was afraid that hon. Members below the Gangway had not paid sufficient attention to the merits of the purchase system, which had certainly acted well in practice. He felt bound, as representing a constituency which would have to pay a considerable portion of the sum that would be required, to point out his objections to the proposed scheme, which were that it would not conduce to efficiency, that a system of selection must be a system of favouritism, and that it would be the means of introducing politics into the Army. Whichever way he looked at the proposal, he found it to be more and more objectionable, and that it combined, in a manner which he thought nothing but the most perverted ingenuity could devise, the elements of confusion, inefficiency, and extravagance.

Mr. STAPLETON said, that the Amendment the House was asked to support was so drawn that hon. Members opposite could vote for it, and yet afterwards when in office carry a measure similar to that of the Government. It was no such great exaggeration to say that commissions were put up to auction. Rich and ambitious officers bought over the heads of those who could pay customary over-regulation price, giving them money to withdraw their names, and when they could not get on in one regiment by this means they exchanged into another. He thought it would be better to discuss the mode by which the Government proposed to carry out the scheme rather than the necessity of the scheme itself, that being beyond further argument. The Government proposed to repay to each officer the over-regulation price of his commission; but that payment would be deferred, contingent, and conditional. It would be deferred, because only a certain number of officers would be allowed to sell out in any one regiment; it would be contingent, because if an officer should die before his time of selling out came he would lose the whole of the purchase money; and it would be conditional, because in order to obtain the money the officer would have to relinquish his profession. But surely the immediate payment of the regulation price would be preferred by many persons to the deferred contingent and conditional payment of the over-regulation price. By paying the regulation price at once we should do justice to the officers; by withholding the over-regulation price we should avoid the scandal of rewarding men by Act of Parliament for violating the law. Coming to the expense of retiring officers under the new system, he did not think it was necessary that the whole expense should be borne by the country, for what could be easier than to require that each person obtaining a commission should place a sum of money in a sort of insurance in the hands of the Government, to be returned to him, with increment, when he was superannuated. Of course those officers who died, who left the service before the time for superannuation, or who attained the rank of major-general, would not have the money returned at all. He considered that these points were worthy of the attention of the Government. What the House wished was to have our officers better educated, so that they should be able to act if left to themselves as the Prussian officers described in *The Times* were said to be.

Moved, "That the debate be now adjourned."—(*Sir John Pakington.*)

Mr. GLADSTONE said, as it appeared to be the wish of the House that the debate should be adjourned, he did not rise for the purpose of objecting. But he hoped there would be an understanding that if the debate was adjourned now it would be finished on Monday evening. [*Cries of* No; no understanding.]

Debate *further adjourned* till *Monday* next.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL—[Bill 2.]

(*Mr. Thomas Chambers, Mr. Morley.*)

COMMITTEE. [*Progress, 8th March.*]

Bill *considered* in Committee.

(In the Committee.)

Amendment again proposed, in page 1, line 8, to leave out all the words from the word "heretofore" to the second word "or," in line 9, both inclusive."—(*Sir Henry Selwin-Ibbetson.*)

Mr. GATHORNE HARDY said, it would be well that the Committee should understand the question before it. The effect of the clause as it stood would be to legalize the marriage of persons who had taken it upon themselves to act in violation of the law, and that was a most important question, upon which they ought to have the opinion of the Government. There were many cases in which persons who had thus married had afterwards separated, and the question was, were these persons to be held as married in spite of themselves?

MR. G. B. GREGORY said, that these marriages up to 1835 were not void, but voidable, by the action of the Ecclesiastical Courts; but since then they were void *ipso facto*.

MR. BERESFORD HOPE said, a great deal of confusion had been caused by, and much misrepresentation employed as to the word "voidable." Every marriage within the prohibited degrees was only voidable up to 1835; so that the most horrible alliances of the nearest kindred belonged to that class up to that date, and equally with the one now under discussion, could only be prevented by a sense of common decency. All the argument used on the other side on that subject tending to show that any particular indulgence was shown to this particular degree was simply misrepresentation.

MR. BARNETT asked the Chancellor of the Exchequer what he would say supposing some person should turn up who demanded a return of legacy duty on the ground that, being a son of a deceased wife's sister, he would be bound to pay 10 per cent on the property left him; whereas being now legitimate, he would be entitled to the property free of duty?

THE CHANCELLOR OF THE EXCHEQUER said, the answer would be that the money being lawfully paid would not be returned.

MR. HUNT appealed to the Prime Minister to state his opinion and that of the Government upon the question of giving to the Bill the retrospective action proposed, observing that if it were passed in its present shape others who happened to contract marriages hereafter within degrees remoter, but yet forbidden, would come to Parliament with an irresistible claim to have these marriages legalized.

MR. GLADSTONE, having remarked that no Government had hitherto been called upon to declare its views on the question, and admitting that it was far from being free from difficulties, thought his hon. and learned Friend (Mr. T. Chambers) had exercised a wise discretion, on the whole, in giving validity to the marriages referred to in the clause. The Act of Lord Lyndhurst for the first time gave validity by retrospective action to what was undoubtedly a violation of the law. It became certain that such an example would be followed by continuous efforts to alter the law in some respects, and they were bound to take that into consideration in making allowance for persons who had contracted these alliances since 1835. It appeared to him that the dictates both of equity and policy were in favour of the course taken by his hon. and learned Friend, always supposing that he had—as he believed he had—provided completely for the protection of proprietary rights.

Question put, "That the words proposed to be left out stand part of the Clause."

The Committee *divided:* — Ayes 133; Noes 98: Majority 35.

Bill *reported*, without Amendment; to be read the third time *To-morrow*.

WESTMEATH, &c., UNLAWFUL COMBINATIONS.—COMMITTEE.

THE MARQUESS OF HARTINGTON *moved* the nomination of the Select Committee on Westmeath, &c., Unlawful Combinations.

Select Committee *nominated:* — Marquess of HARTINGTON, Mr. DISRAELI, Mr. SOLICITOR GENERAL for IRELAND, Mr. HARDY, Sir GEORGE GREY, Colonel WILSON PATTEN, Mr. DOWNING, Viscount SANDON, Mr. JAMES, Mr. PEMBERTON, Mr. MAGUIRE, Mr. RUSSELL GURNEY, Mr. GREGORY, Mr. BRUEN, and Mr. Serjeant SHERLOCK: —Power to send for persons, papers, and records; Five to be the quorum.

MR. NEWDEGATE: Sir, when the noble Lord the Chief Secretary of the Lord Lieutenant of Ireland moved the appointment of this Committee, the noble Lord intimated that it was to be a Secret Committee; but in subsequent discussions the right hon. Gentleman the First Lord of the Treasury declared that the Committee was to act upon the ordinary powers vested in all Select Committees of this House, whereby they would exercise a discretion as to whether they would suppress any parts of the evidence given before them in their Reports to this House. But the right hon. Gentleman added that, although this was a Select Committee, it would not have power to report its opinion with respect to any remedy for the present disturbed state of the county of Westmeath, and the adjoining counties, to the House. Now, Sir, I have examined the precedent which was established in 1852, and I find from the Report of the Committee in that instance that it was appointed at the instance of Mr. Napier, at that time Attorney General for Ireland, in these terms—

> "To inquire into the state of those parts of the counties of Armagh, Monaghan, and Louth, which were referred to in Her Majesty's Speech, into the immediate cause of crime and outrage in those districts, and into the efficiency of the laws, and of their administration for the suppression of such crime and outrage."

In the Journals of this House I find entries from which I learn that this Committee was appointed on the 19th of March, 1852, and that on the 4th of May following, it was ordered by the House that the Committee should have power to report their opinion, together with the Minutes of Evidence taken before them, to this House. Now, it appears to me that this is a case precisely in point. Whenever the House appoints a Select Committee it appoints what is a delegation of its own; and I believe it to be consistent with all usage that, inasmuch as such Committee emanates from this House, so, as its delegation, it is reponsible to the House, and that its Report must be made to this House, as the sole source of the authority by which it calls for persons and Papers, and enters into an examination of them. If the Committee now proposed to be nominated by the Government is not, or if there is to be an understanding that it is not, to report the evidence it takes, or its own opinion, to the House, then it will have been appointed upon terms different from those I have ever known in any previous case of the appointment of a Select Committee, because, in this instance, a Select Committee of the House will have been appointed, as it were, to be an assistant department of the Executive. The right hon. Gentleman shakes his head. Well, if that is not the case, I hope the right hon. Gentleman will explain that this Committee is to have the power of reporting to the House any portion of the evidence it may think fit—[Mr. Gladstone: Hear, hear!]—and to report any opinion it may arrive at to this House. [Mr. Gladstone: Hear, hear!] Because, as far as the debates have gone hitherto, the inference to be drawn is directly the reverse. [Mr. Gladstone: No, no!] And if the right hon. Gentleman, in the present disturbed state of the districts concerned in the Inquiry, had come down to the House and announced that he wished to appoint a Royal Commission, under the powers of the Crown, and had selected certain Members of the House to serve upon it, I feel convinced that the House would not have objected. Or, if he had brought in a Bill to constitute a Parliamentary Commission, under the provisions of such a measure, the House might have directed the Commission to report to Her Majesty. Then the Government would have had full discretion as to whether they would report any part of the evidence taken, or the opinions of the Commissioners, to the House. I beg now to move, in accordance with the precedent of the year 1852, to which I have referred, that the Select Committee on Unlawful Combinations, &c., in Westmeath, and adjoining parts of Meath and King's County, have power to report the evidence taken before them, together with their opinion thereon, to this House. I make that Motion, because it is the impression not only on my own mind, but on the minds of other Members of the House, that this Committee is appointed in unusual terms, and unless the right hon. Gentleman shows that it is not, I shall take the opinion of the House upon the question.

Motion made, and Question proposed,

"That the Select Committee have power to report the Evidence taken before them, and their Opinion thereon to the House,"—(*Mr. Newdegate.*)

Mr. GLADSTONE said, that as the Motion was now framed he had no objection to it.

Mr. ASSHETON CROSS asked whether the Order of Reference would enable the Committee to inquire into the question of how the Government had exercised the powers which they already possessed?

The Marquess of HARTINGTON understood that this must form part of the Inquiry to be entered upon by the Committee.

Question put, and *agreed to.*

GAME LAWS AMENDMENT (NO. 2) BILL.

On Motion of The LORD ADVOCATE, Bill to amend and assimilate, in certain respects, the Laws of England and Scotland relating to Game, *ordered* to be brought in by The LORD ADVOCATE and Mr. Secretary BRUCE.

House adjourned at a quarter before One o'clock.

* * *

HOUSE OF LORDS,

Friday, 10*th March*, 1871.

MINUTES.]—PUBLIC BILL—*First Reading*—Prison Ministers * (37).

CRIMINAL LAW—ACQUITTAL OF MARTHA TORPEY.

OBSERVATIONS. QUESTION.

EARL STANHOPE rose to call the attention of the House to the recent acquittal of Martha Torpey; and to inquire, Whether the noble and learned Lord on the Woolsack has in contemplation any measure to remedy the present state of the law? The noble Earl said that the facts were so recent, and must be so familiar to their Lordships, that he need only very briefly recapitulate them. In the month of December last Martha Torpey and her husband were residing at Leamington, where they appear to have planned a robbery of a most audacious character. They came to London and, by means of a forged letter of recommendation, hired a furnished house at the West End, under the assumed name of Tyrrell. Under this name Torpey presented himself at the shop of Messrs. London and Ryder, the well-known jewellers of Bond Street. He represented himself as desirous of purchasing some diamond ornaments for his wife, and was shown some cases of great value. Having selected some of these, he requested that they should be sent to him for the inspection of his wife at the house in Upper Berkeley Street, which he had hired under a false name. The assistant of Messrs. London and Ryder accordingly called there at the time appointed with cases of diamonds of the value of nearly £4,000. The street door was opened to him by Torpey himself, for which Torpey apologized, and led him upstairs into the drawing-room; in which was Mrs. Torpey. The assistant having displayed various diamond ornaments, Torpey selected some to the value of about £2,000. The value of the jewelry displayed was about £2,600; but there were other ornaments of great value in the shopman's bag, which he had placed under the table. After some conversation Torpey turned to his wife and said that before concluding the purchase she had better consult her sister. She left the room on this pretence; and returned in a few minutes saying that her sister would be there directly, and then, stepping quickly behind the shopman, placed a a handkerchief saturated, as it would seem, with chloroform or some other stupefying substance, to his face. Torpey then rushed upon him and a struggle ensued, during which the woman Torpey again placed the handkerchief over the man's face, and held it there for some time. He then became insensible, but on recovering consciousness found that the jewels had disappeared, as had Torpey and his wife also; but, fortunately, the bag from which he had taken the jewels, which contained more jewelry, was still lying under the table, where he had placed it. Torpey made his way to the Continent, where he disposed of some of the diamonds; while the wife returned to Leamington, where, suspicion having been excited, she was apprehended. On her trial it appeared that in three instances she had taken an independent part in the robbery. The forged letter of recommendation was proved to be in her handwriting; she had sent away the maid-servant from the house on a false message to an address which could not be found, so that this domestic might be absent at the time; and she had left the room in which her husband was, had prepared the handkerchief with the anæsthetic out of his presence, and had returned to apply it herself to the shopman's face. Moreover, some days after the robbery, she sent part of the jewelry to a cousin at Southampton, requesting that care should be taken of it. She was defended not as denying the identity or questioning the robbery, but on the presumption that she had acted under the control of her husband, and therefore was not held guilty in the eye of the law; and her counsel, Mr. Montagu Williams, made such a speech as might be expected from a gentleman of his well-known ability and eloquence. She was acquitted and doubtless by this time had rejoined her husband on the Continent, where they were probably living in luxury—comparative luxury—on their ill-gotten gain. Now, it seemed to him that this case reflected great discredit on the administration of justice and the state of the law in this country. In the first place, the proceedings had been prematurely divulged by the Press, the blame of which, cast upon the magistrates by the police, was cast back upon the police by the magistrates. Thus it happened that newspapers containing the particulars reached Torpey at Amsterdam one morning, at the very time the police were prepared to arrest him. He had just time, therefore, to make his escape. Now, fortunately for us, it had very often happened that bad cases had made good laws; and whenever there had been any flagrant and glaring instance of the violation of justice under the old system, and whenever, on examination, it appeared that nothing could be urged in defence of that system, in this country of free inquiry its fate was doomed and its fall was near. He trusted that this would be the result in this instance, and that Martha Torpey would be entitled to some sort of public gratitude if the case led to a reformation of the law where it was much needed. The presumption of law on which she was acquitted was thus laid down by the learned Recorder, as reported in *The Times* of the 2nd instant—

> "The jury must try the prisoner in the same way as if her husband was by her side. The presumption of law was that when an act was committed by a wife in the presence of her husband it was done under his control; but this presumption was capable of being rebutted by a consideration of acts committed by the wife independently of the husband, and of the character of which the jury were to judge."

The Recorder, of course, had no need to travel beyond this particular case, or he might have informed the jury that the presumption of law did not extend to cases of treason or murder. Of this their Lordships would remember a striking instance in the case of Mrs. Manning, who committed murder in the presence of her husband, but was, nevertheless, justly condemned, and in due course executed. Now, surely if the principle was a sound one, it ought to be applied to all offences, small and great; but the truth was that it was found so repugnant to all ideas of equity and justice that a wife should escape punishment for murder, if committed in the presence of the husband, that the presumption of law was excluded and left only to cases of a less extreme degree of guilt. If a woman committed an offence under the control of her husband, the fact could be proved in evidence, without any presumption of law, in the same way that a child or an agent might escape responsibility. A flagrant miscarriage of justice had certainly occurred, and he should much regret it if any attempt were made to defend a defective law by alleging the incompetency of the jury, for the jury were bound to look to the general presumption of law as laid down by the learned Recorder. There had been similar instances of legal absurdities, which, on the occurrence of flagrant cases, had been set aside. For a long time the mummery of fines and recoveries existed, by which, when a man desired to settle his estate, he had first, by a legal fiction, to see it forfeited to the Crown, and by a second legal fiction to see it re-granted, both processes involving considerable expense. So, again, for a long period the prosecutions and exactions in the Ecclesiastical Courts were kept up, under the plea that they were all for the good of the offender—*pro salute animæ*, for his soul's health. When, however, the absurdity of these proceedings became manifest by flagrant cases the wisdom of Parliament interposed to abolish them. The noble and learned Lord on the Woolsack, who was not only the head of the law, but—if he might presume to say so in his presence—one of its most distinguished ornaments, could not be indifferent to this great defect, and he hoped to hear from him that it was his intention to apply a remedy.

LORD CAIRNS said, he wished to ask his noble and learned Friend a question that might throw some light upon the subject. It had been stated that when she was apprehended Martha Torpey made a statement that she had been the author of the robbery, that her husband had acted under her directions, and that it was idle for the police to look for him. He wished to know if this was the fact, was it put before the jury on the part of the prosecution, and was it part of the evidence on which they acquitted the prisoner?

THE LORD CHANCELLOR: Your Lordships cannot but feel greatly indebted to the noble Earl who has put the Question, and has taken such an interest in the due administration of the law. I agree with him that when cases occur showing great practical grievances arising under the existing state of the law, it is well that attention should be called to them, and inquiry made as to whether or not a remedy should be applied. It is, however, entirely owing to the imperfect statement that has appeared of this particular case that the defect of the law of which the noble Earl complains is supposed to have occasioned the miscarriage of justice which has certainly occurred. I think that when your Lordships hear the whole case, as to which I thought it my duty, on the Notice given by the noble Earl, to inform myself, you will find that it points not to any defect in the law, but to a defect in the conduct of this particular jury; for there can be no doubt that it was simply and solely a gross miscarriage of justice on the part of the jury which led to the prisoner's acquittal. It is quite true that the law presumes, in the first instance, that when a wife commits a crime in the presence of the husband she is to be taken as acting under his coercion and control. It is equally certain that exceptions have been made to that presumption of law which tend, as the noble Earl has justly said, to impugn the expediency of the law itself. The law, I believe, has come down to us from Saxon times, and has existed 1,000 years. Exceptions have been made in the case of manslaughter and murder; and there is also an exception, or, rather, an explanation — namely, that it being but a presumption, and presumption being a matter for the jury to take into consideration on the evidence, it may be rebutted by evidence. The jury, therefore, in cases of theft, fraud, and robbery, are to presume coercion until the contrary is shown. The contrary may be shown by proving—as was clearly proved in this case—that the wife has acted apart from her husband, and has taken part in the crime in his absence and free from his control. It was distinctly proved that Mrs. Torpey had written the fraudulent letter in the absence of her husband, and without the possibility of his control, and that she had sent away the maidservant lest she should be witness of the robbery, also in the absence of her husband. Another fact ought to have appeared at the trial, to which the Question of my noble and learned Friend (Lord Cairns) refers, and which I will notice presently. Now, if the case had been barely put before the jury, as given in the reports of the summing-up, the learned Judge would, no doubt, have been greatly in fault, for the report states that he simply informed the jury of the presumption, and told them they might exercise a judgment upon it as a matter of fact and nothing more. I was convinced from my long acquaintance with the learned Recorder that it was quite impossible he could have left the case to the jury in that manner. He is a Judge of very great experience, of calm and sound judgment, and a thorough master of the law which he administers. I thought it necessary to communicate with him, and ask what his summing up was, and I hold his reply in my hand. He told the jury distinctly what the law was—that though it was a presumption of law that the wife had acted under her husband's control, it might be rebutted by any evidence of her separate and independent action in the matter; and he called their attention pointedly to the two circumstances I have mentioned—namely, that Mrs. Torpey wrote the letter in her husband's absence, when there could be no such presumption; and that she sent away the maidservant in her husband's absence, whence there was also an absence of presumption. The learned Recorder put the case, indeed, in a way which made it impossible for the jury, if they exercised the fair judgment which ought to be exercised, to acquit the prisoner. Unfortunately, a circumstance was kept back which might have strengthened the case. The woman voluntarily stated before the magistrate that it was useless to inquire for her husband, that she had planned the whole, that her husband had done nothing in the matter, and that she was the author and contriver of it, as, indeed, the evidence tended to show. That evidence was on the depositions; but no witness was called with reference to it on the part of the prosecution. This so much surprised the learned Recorder that after the trial—of course it was not proper for him to communicate with him before — he asked the counsel for the prosecution how it was that a fact of such importance had been kept back. The answer he received entirely exonerated the counsel, who had no instructions upon the subject; the fact not having been communicated to him, and he being unable to know more than he had been instructed. The case shows a very great failure of justice, in consequence of the jury neglecting to observe the clear and precise ruling of the Judge with reference to the rule of the law and the evidence which pointed to it. There was one unfortunate circumstance which I am afraid we cannot prevent—the appearance of the prisoner in the dock with an infant in her arms. That was a very effective feature in the case. It was a singular coincidence that a Question had been asked in "another place" that very evening, as to a report in the newspapers of a case in which three women were charged before the magistrates with stealing faggot-wood, value 4*d.* The evidence having shown their guilt, the prosecutor said he would not press for a severe penalty against two of the women; but, as the third had used very abusive language to one of his witnesses, he pressed the case against her; she had a baby at her breast, but was sentenced to seven days' imprisonment. The woman cried and sobbed in a piteous manner, begging for the sake of the baby in her arms and of her little children at home that she might not be sent to prison. The magistrates, however, were inexorable, and it required the united efforts of three policemen to drag the prisoner to the cells below. Inquiry was then made, and it was found that the child in her arms had been out at nurse, and was brought into Court for that particular occasion for the purpose of exciting commiseration. The magistrates, fortunately, were not so sympathizing in that case as Mrs. Torpey's jury; like men of sense, they saw through the trick. In this case the ruling of the learned Judge was plain and distinct, and the law, whatever its merits or demerits, was not the cause of the woman's escape from condign punishment. It had been asked in some quarters what evidence there was that the prisoner was Torpey's wife; but the indictment charged her as his wife, and after that no evidence could be given or inquiry made on that point—it had to be dealt with as charged. As regards the law itself, I have been in conversation with learned Friends, and a communication has been made to me by a noble and learned Lord (Lord Colonsay), who takes a great part in the appellate jurisdiction of this House, and is well versed in the law of Scotland, which he thinks is, in this respect, better than the English law. In Scotland a woman may be acquitted on the ground of her husband's coercion, but there is no presumption one way or the other. Now, I do not think there was any ground for the presumption in this case; but it may tend to mislead a jury to tell them that such is the presumption of law, instead of leaving it to them to say whether the woman was a free agent or was acting under coercion. I do not go quite as far as the noble Earl (Earl Stanhope) with reference to the question of coercion. I do not think it would be tolerated in this country that a woman should be convicted when the crime was clearly shown to have been committed under the husband's coercion. There is a remarkable case in Scotland, on which a woman was acquitted on this ground—I mean the case of Burke and Hare, who murdered persons and disposed of their bodies. Burke's wife was acquitted, for, though she was necessarily cognizant of what went on, the jury felt, that placed in a house with Burke and Hare, one of them her husband, it was right that she should be supposed to have acted under coercion. I think that state of the law in Scotland is preferable to the English law; but, after all, this involves a large department of the law as to husband and wife—how far she should be allowed to act as a free agent in the disposal of her property, and other questions—and it would not be right on the spur of the moment, and on a single case, to hurry into an alteration of the law. It is quite right that the matter should be considered; but I cannot at present give any pledge on the subject.

WELLINGTON MONUMENT—ST. PAUL'S CATHEDRAL.

MOTION FOR PAPERS.

THE MARQUESS OF LANSDOWNE *moved* for all further Correspondence relative to the Wellington Monument between Mr. Penrose and Mr. Stevens with any Department of Her Majesty's Government up to the present time.

Lord OVERSTONE said, that the history of this transaction was an exceedingly curious one, and it was desirable that public attention should be directed to it. It originated in the Vote by the House of Commons of a certain sum of money for a Monument to the Duke of Wellington. The Government then decided that the design should be submitted to public competition. Designs were accordingly sent in, and were publicly exhibited in Westminster Hall. It was next proposed to appoint a Committee, who should be intrusted with the duty of awarding the seven premiums which had been offered. He (Lord Overstone) was honoured—though the task was a very unpleasant one—with being appointed on the Committee. He acted in concert with the First Lord of the Treasury, the Grandfather of the noble Marquess (the Marquess of Lansdowne), the late Dean of St. Paul's, and several other persons. They allotted the premiums to the designs which they believed the best, but on the clear understanding that their duty was not to decide on the suitability of any of them. Their decision was generally approved. There the matter dropped for several years, until Questions were put in Parliament on the subject. Several changes had, in the interim, occurred in the Government, and it was suddenly announced that the Government had resolved to choose an entirely new site. It might have been expected that as the new site differed in all its features and accessories from the original one, and both being sites of a peculiar character, new designs would be invited. The Government, however, announced that they had selected the design to which the Committee had awarded the third prize, and that they had associated with Mr. Stevens the artist, Mr. Penrose the architect of St. Paul's Cathedral, in order that the design might be adapted to the new site. From such a measure no reasonable or practical man would have expected any satisfactory result; but few would have expected one so thoroughly unsatisfactory as that which had occurred. Years had elapsed since the arrangement was made, and it had been recently stated that the whole sum voted for the Monument had already been spent; while all that the country had got in return was a certain, he could not say ruin, but fragment of the Monument in St. Paul's, with other fragments lying in the artist's studio. The Government, disgusted apparently with the whole proceedings, had taken possession not only of the fragment in the Cathedral, but of the artist's studio and all it contained; it was locked up, and the master of the house was actually precluded access to his own studio. He did not find fault with this, for they had certainly just grounds of complaint; but this showed into what a state the matter had got. He believed the design was the work of a real genius, but of a genius who, as was not unfrequently the case, was totally unable to appreciate the limits of time, space, and expense. What, under these circumstances, were the Government to do? He presumed the Correspondence would give information on this point. According to what he had heard, they would endeavour to make a new association between the artist and some person of practical habits of business to superintend and control him, who would exercise such control as should give the country some security that, within a limited space of time and limited expense, the work, which, was really a work of genius, would be completed. He sincerely hoped that this would be the result; but, judging from past experience, he confessed that he was not very sanguine in the matter. There was, however, some consolation in reflecting that the man to whose honour and memory the Monument was to be erected had, by his great services to the country, by his great deeds in arms, and by his moral standard of patriotism and duty, erected a monument by the side of which the most imposing and durable monument that human hands could erect was comparatively worthless. *Exegit monumentum ære perennuis.*

Motion *agreed to.*

PRISON MINISTERS BILL [H.L.]

A Bill to amend the Law relating to the Religious Instruction of Prisoners in County and Borough Prisons—Was *presented* by The Earl of Morley; read 1ª. (No. 37.)

House adjourned at Six o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, 10*th March*, 1871.

MINUTES.]—SELECT COMMITTEE — Public Accounts, Mr. Baxter *added.*

PUBLIC BILLS—*First Reading*—Pauper Inmates Discharge and Regulation* [70].

Third Reading—Marriage with a Deceased Wife's Sister [2], and *passed.*

METROPOLIS—CARRIAGE DRIVE IN HYDE PARK.—QUESTION.

SIR HENRY HOARE asked the First Commissioner of Works, Whether he will not continue to the inhabitants of Kensington and the public generally the use of the carriage drive in Hyde Park between the Alexandra and Queen's Gates which runs parallel with the Kensington Road, such use having for many years past been of considerable importance and service to them, more especially during the London season?

MR. AYRTON: Sir, I can assure my hon. Friend that no steps shall be taken to alter the usage in regard to this road, without due consideration and a regard to the convenience of all classes of the community. My hon. Friend, in his Question, states that this piece of road is used as a carriage drive by the public in general. I think I ought to observe that although the public in general may drive over this road in their own carriages, yet I imagine that a very small portion of the constituents of my hon. Friend, and of mine also, no doubt, are able to avail themselves of that permission. The public in general go on their own feet, and some of them would like, perhaps, to go there in cabs. That, however, would not be within the usage that has been observed in regard to the road; so that, in fact, a large class of the community derives no benefit from it. When the works are completed it will be necessary to consider what is best to be done for the whole community. It may, perhaps, be thought desirable to shut the road during the night; or it may be found, on the whole, more agreeable to everybody that it should be converted into a promenade; but no course will be adopted until after the most careful consideration of all the conflicting claims that are entitled to be heard.

EXPORT OF ARMS TO BELLIGERENT STATES.—QUESTION.

MR. BIRLEY asked the First Lord of the Treasury, Whether he does not consider that it would be desirable to prohibit, by express enactment, the exportation of arms and destructive munitions of war to Belligerent States?

MR. BOUVERIE: Before the right hon. Gentleman answers the Question, I wish to ask you, Sir, whether it is consistent with the rules and practice of the House to ask Questions such as this? The subject of the Question, put by the hon. Member, is matter for debate, and I submit it is not in conformity with the rules of the House respecting Questions without debate to ask a Minister his opinion on a matter of great public policy; Questions may be asked as to facts respecting public affairs, or the intentions of a Minister, but if any Question was desired to be put concerning this matter, it should have taken the form of an inquiry whether the Government intend to bring in a Bill in relation to the export of arms and munitions of war to belligerent States.

MR. SPEAKER: I think the hon. Member for Manchester has passed the prescribed rule relating to Questions, in asking the opinion of the Minister upon a point of so great importance as that to which his Question relates. And I think this is more especially the case in view of the fact that the subject is one which not very long ago received the full attention of the House, on the occasion of a Bill being passed in the last Session in relation to it.

MR. BIRLEY: Then may I ask if the Government mean to introduce a Bill on the subject?

MR. GLADSTONE: Sir, in answer to the Question of the hon. Member, and also to a Question which stands on the Paper in the name of the hon. Member for East Devon (Mr. Kennaway), I may say that the Government have not at the present time any intention to bring in a new Bill, or to propose amendment in any existing Bill, on the question of the export of arms and munitions of war to belligerent States. I may state, also, that there is no Correspondence on the subject between Her Majesty's Government and the representatives of belligerent Powers other than that which has been already laid upon the Table of the House.

THE PERSHORE MAGISTRATES.

QUESTION.

MR. P. A. TAYLOR asked the Secretary of State for the Home Department, Whether his attention has been called to the following report of a case brought before the magistrates at Pershore:—

> "Three women, named Mary Cook, Ann Cook, and Sarah Ann Clifford, were charged with stealing a quantity of faggot-wood from the road-side, value 4*d.*, the property of Mr. George Whittaker, one of the magistrates on the Bench. Mr. Whittaker said he did not wish for a severe penalty in the case of the two Cooks; but as Clifford had used abusive language to one of his witnesses, he should press for a conviction. The Bench dismissed the Cooks on payment of costs 5*s.* each, but sentenced Mrs. Clifford, who had a baby at her breast, to seven days' imprisonment. The poor woman cried and sobbed in a piteous manner, and begged the magistrates, for the sake of the baby she had in her arms, as well as several little children she had at home, not to send her to prison. The magistrates, however, were inexorable, and it required the united efforts of three policemen to literally drag the prisoner from the Court to the cells below:"

whether he has caused inquiry to be made as to the accuracy of the statement; and, if he will be good enough to state what course he proposes to take under the circumstances?

MR. BRUCE: Sir, I have made inquiries into this case, and my hon. Friend will be gratified to hear that it is not so bad as might be inferred from his Question. The facts are these—three women were charged with stealing a quantity of faggot-wood from the road-side, the property of Mr. Whittaker, one of the magistrates in the neighbourhood. It appears that wood had been repeatedly stolen from that place, and that, in consequence, the farm bailiffs of Mr. Whittaker were set to watch it. The three women were caught taking the wood, and by an expression let drop by one of them—Clifford—it appeared that she had been there the previous night for the same purpose. They were summoned before the magistrates; but Mr. Whittaker was not on the Bench when the case was heard. The charge was proved; but Mr. Whittaker said that he did not wish to press the charge against two of the women, who were accordingly dismissed on payment of the costs; but as to Clifford, who had been proved guilty on her own statement of having committed the same offence the previous night, her conduct was so violent and abusive that Mr. Whittaker declined to interfere in her favour, and left the case to be dealt with by the magistrates. She pleaded guilty, and was sentenced to seven days' imprisonment. With regard to the other points of the Question, the facts are these—the woman is living with a man who is not her husband, and she has three children by him. She did appear in Court with the youngest child in her arms; but I am informed that the child had previously been sent out to nurse, and was brought into Court on that occasion for the purpose of exciting commiseration. The fact of the appearance of the child did not, however, produce on the magistrates the same effect as, in a far more important case, it recently had on a British jury. I am further informed that the prisoner did not cry or sob; but that she screamed out that she would not go to gaol as the witnesses had committed perjury — a statement hardly consistent with the fact that she had herself pleaded guilty. At first she refused to go to the cells, but ultimately she went without any violence being used, and on leaving the Court she repeated against the policeman the same violent language that she had used towards the witnesses. Under these circumstances, it is not my intention to take any further action in the matter.

TRANSFER OF DEBENTURE STOCKS.

QUESTION.

MR. J. B. SMITH asked Mr. Chancellor of the Exchequer, Why Transfers of the Debenture Stocks of Public Companies and Corporations should not be put on the same footing as the other Stocks of such Bodies by the payment of the same Stamp Duty when transferred on a nominal consideration; and, whether it be his intention to rectify the anomaly in the Stamp Bill now before the House?

THE CHANCELLOR OF THE EXCHEQUER: Sir, some three or four years ago it was discovered that certain companies had obtained in their Private Acts a right to pay only 6*d.* per cent upon the transfer of their debenture stock. A Bill was brought in to remedy this, and great doubt arose as to whether the stamp ought to be 30*s.* or 35*s.* on debenture stock transferred for a nominal consideration. The right hon. Gentleman the Member for Northamptonshire (Mr. Hunt), who was then Secretary to the Treasury, and other hon. Members of this House, had a conference on the question with the officers of the Inland Revenue, and, after much consideration, it was resolved to fix it at 2*s*. 6*d*. per cent, the sum at which it now stands. I am not prepared to deny the statement of the hon. Member for Stockport that this looks like an anomaly; but, not having had an opportunity of considering the matter since Notice of the Question was given, I cannot pledge myself to take any step in reference to the subject.

FRANCE AND GERMANY — ENTRY OF THE PRUSSIAN ARMY INTO BERLIN—COLONEL WALKER.—QUESTION.

Mr. W. LOWTHER asked the Under Secretary of State for Foreign Affairs, Whether Colonel Walker, the Military Attaché at Berlin, did not in 1866 accompany the triumphal entry of the Prussian Troops into Berlin at the termination of the War with Austria; and, whether General Walker will receive instructions with regard to entering Berlin with the Prussian Army in triumphal procession at the termination of the War with France?

Viscount ENFIELD: It is perfectly true, Sir, that Colonel Walker was present at the entry of the Prussian troops into Berlin at the close of the war with Austria in 1866, but I have reason to believe that he was there as a spectator, and that, although in uniform, he did not join in the military *cortége* as it proceeded from the Brandenburg Gate to the Blucher statue, where the King and Princes took up their position. In his own account Colonel Walker stated that as he did not take part in the military *cortége* he could not report as to the way in which the troops were received by the crowds who lined the streets. With regard to the second Question, I beg to inform the hon. Gentleman that General Walker is under orders to return to England as soon as the Imperial Crown Prince shall have quitted France, in order to report himself to Her Majesty's Government.

JUDICIAL COMMITTEE OF THE PRIVY COUNCIL.—QUESTION.

Mr. WATKIN WILLIAMS asked the Secretary of State for the Home Department, Whether he is aware that the accumulation of arrears before the Judicial Committee of the Privy Council is greatly on the increase, to the serious pecuniary loss of the suitors; and, whether it is the intention of Her Majesty's Government to propose any measure in the present Session to remedy this grievance?

Mr. BRUCE, in reply, said, although the arrears were still considerable, they had recently rather decreased than increased as he was informed. It was the intention of Her Majesty's Government to introduce a Bill this Session on the subject.

FRANCE AND GERMANY—DEPARTURE OF GENERAL CLAREMONT FROM PARIS.—QUESTION.

Mr. RYLANDS asked the Under Secretary of State for Foreign Affairs, Whether General Claremont, to whom Lord Lyons transferred the protection of British subjects in Paris after the departure of Mr. Wodehouse, was subsequently authorized by Lord Lyons to leave Paris several weeks before the conclusion of the siege; and, if Her Majesty's Government approve of the withdrawal of General Claremont under the circumstances which then existed?

Viscount ENFIELD: I think, Sir, the best answer to the Question of the hon. Gentleman will be to read a passage from the instructions sent by Lord Granville to Lord Lyons, under which General Claremont thought himself at liberty to act. They are to be found in No. 2 of the Correspondence respecting the Franco-German War, page 5, No. 7. At the conclusion of a despatch from Lord Granville to Lord Lyons dated the 18th of October, 1870, are the words—

> "I added that, as regards Colonel Claremont, he should follow the course adopted by the military attachés of other countries who may have remained in Paris."

General Claremont left Paris on the 11th of December, at the same time as Prince de Wittgenstein, the Russian military *attaché*.

ARMY—AMMUNITION FOR THE VOLUNTEERS.—QUESTION.

Colonel C. H. LINDSAY asked the Surveyor General of the Ordnance, What is the reason why Volunteer battalions who had received Snider breech-loading rifles are, in many instances, kept waiting for days and weeks, after application, before they receive any ammunition, blank or ball, which is so necessary for practice and instruction before Easter?

SIR HENRY STORKS: Sir, I am not aware of any delay having taken place in the issue of ammunition, nor have I been able, on inquiry, to discover that any requisitions have been non-complied with. But if my hon. and gallant Friend will be good enough to give me privately the names of the battalions which have complained, I will cause inquiry to be instantly made on the subject. There are ample stocks of ammunition in store everywhere.

COLONEL C. H. LINDSAY: I can inform the right hon. Gentleman that the 37th and 39th battalions were kept waiting for ammunition for five weeks.

FRANCE AND PRUSSIA—THE WAR—OFFER OF MEDIATION.—QUESTION.

MR. OTWAY asked the Under Secretary of State for Foreign Affairs, with reference to the statement made to the French Ambassador on the 25th ultimo, Whether Lord Augustus Loftus was directed to tender the good offices of Her Majesty's Government in a Despatch which he did not, and could not, receive until the 27th ultimo, the armistice terminating on the 26th ultimo; why the instructions in the Despatch were not conveyed to Her Majesty's Ambassador by cyphered Telegram on the 24th ultimo; whether Mr. Odo Russell, to whom a Copy of the Despatch alluded to was communicated by Telegram on the 24th ultimo while with Count Bismarck at Versailles, was also instructed to tender to him the good offices of Her Majesty's Government; and, what Reply has been given to Her Majesty's Government as to their proffer of good offices?

VISCOUNT ENFIELD: Sir, it was only on the 24th of February that the Government were made acquainted with the wishes of the French Government. A despatch on that day was addressed to Lord Augustus Loftus, at Berlin, and was communicated to Count Bernstorff in London, with the request that he would immediately telegraph the substance of it to Count Bismarck. The Government had reason to believe that Count Bismarck received the proffer of their good offices on the morning of the 25th, but they have as yet received no official reply on the subject. On the evening of the 24th the substance of the despatch was telegraphed to Mr. Odo Russell, in order that he might be made fully acquainted with the steps which the Government had thought fit to adopt. It appears from the despatch of Mr. Odo Russell, that he did not receive that telegram till 11 o'clock on the evening of the 25th. The Government considered that in requesting Count Bernstorff to telegraph the substance of the despatch direct to Count Bismarck they took the most direct and expeditious means of bringing themselves into communication with him; and I think that my hon. Friend will agree with me that it was a much more direct mode of proceeding than if we had telegraphed to Lord Augustus Loftus, asking him to ask the Prussian Foreign Minister to telegraph to Count Bismarck.

MR. OTWAY: My noble Friend has not answered the Question to which I attach most importance—whether instructions to tender the good offices of England were sent to Mr. Odo Russell, who was on a special mission to Count Bismarck?

VISCOUNT ENFIELD: The telegram which was sent to Mr. Odo Russell on the evening of the 24th embodied the substance of the despatch which had been sent to Lord Augustus Loftus, and it was left to Mr. Odo Russell to use his discretion in the matter.

MR. OTWAY: Then no instructions were sent?

VISCOUNT ENFIELD: I am not able to say that any direct instructions were sent; but the substance of the despatch was communicated by telegraph.

EDUCATION OF BLIND AND DEAF-MUTE CHILDREN.—QUESTION.

MR. WHEELHOUSE asked the Vice President of the Council, If it be not possible, either by legislation, by means of the Revised Code, by pecuniary grant, or by some other method, for the Government to provide for and secure the education, generally, of blind and deaf-mute children; or whether Her Majesty's present Government proposes, notwithstanding the recent Education Act, to leave all children so afflicted, save those of the pauper class, wholly dependent upon family funds, or the efforts and resources of private institutional charity alone, for their education?

Mr. W. E. FORSTER said, in reply, that he thought this Question almost came under the class recently referred to by Mr. Speaker. The only answer he could give was that the Government did not see its way to any proposal on the subject. However much he might regret that it was not in the power of the Department to undertake the treatment of such unfortunate children, he saw no way of interference except in the case of such as were paupers, who would fall under the care of the Poor Law Board.

ARMY—PAY AND PROMOTION.

QUESTION.

Mr. RYLANDS asked the Secretary of State for War, Whether he will lay upon the Table of the House the alterations in the Royal Warrant concerning pay and promotion, by means of which he purposes to prevent hereafter the practice of paying sums of money in respect of promotions, and of receiving in respect of retirements?

Captain VIVIAN said, in reply, that the Secretary of State for War was not yet in a position to lay on the Table the document referred to; but he would do so at the earliest possible period.

PAY AND ALLOWANCES OF MILITARY ATTACHES.—QUESTION.

Mr. MONTAGUE GUEST asked the Under Secretary of State for Foreign Affairs, What are the pay and allowances of the Military Attaché to the British Embassy at Paris from the Foreign Office, as well as from the War Office, and whether it is a five years' appointment; what are the pay and allowances of the Military Attachés at Berlin, Vienna, and St. Petersburg, and whether they are five years' appointments; how long the present Military Attaché at Paris has held this post; by whose orders he left the head quarters of the French Army under General Trochu on or about 12th December 1870; whether any other Military Attaché was present with the garrison of Paris to report upon the military operations after 13th December until the Capitulation of the City; whether the Military Attaché who left Paris joined the British Ambassador in France or whether he returned to England; and, if so, by whose orders, and whether any intimation was given to him that Lord Lyons desired the presence of a British Military Attaché with General Bourbaki's Army for which duty he was available; and, also on what day the Military Attaché actually returned to his post, and by whose authority he absented himself from France, and whether he had not received the local rank of Major General to give him greater influence during the active military operations?

Viscount ENFIELD: The military *attaché* at Paris receives a salary of £500 a-year, charged in the Diplomatic Estimates, and any expenses of journeys on public service would be allowed on account rendered. There is no limit of time during which the appointment may be held. The military *attachés* at Berlin, Vienna, and St. Petersburg, are named and paid by the War Department, though nominally they are under the Foreign Office. They have a salary of £500 a-year, and £100 a-year lodging money, charged in the Army Estimates. The present military *attaché* at Paris has held the appointment since the 1st of October, 1858. He left the head quarters of the French Army under General Trochu, under the discretionary orders conveyed to him from Lord Granville, as appears at page 5, No. 7, in the Correspondence of the Franco-German War, No. 2; those instructions being that he should follow the course adopted by the military *attachés* of other countries who may have remained in Paris. To the best of my information no other military *attaché* was present with the garrison of Paris after the 13th of December until the capitulation. The military *attaché* did not rejoin the British Ambassador, two extra military *attachés*, Colonels Reilly and Feilding, having during General Claremont's stay in Paris gone out from England to Bordeaux, being instructed to place themselves at Lord Lyons' disposal, and subsequently proceeding to the head-quarters of the Army of the Loire. In these circumstances General Claremont arrived in England and reported his arrival to the Secretary of State; he afterwards returned to France, under orders to that effect on 24th February. Both Colonel Walker and Colonel Claremont had the local rank of Major-General conferred upon them as affording them a better position during active military operations.

Sir ROBERT PEEL: Am I to understand the noble Lord as saying that the sole allowance to the military *attaché* in Paris from the Foreign Office and the War Office is £500 a-year?

Viscount ENFIELD: The pay of the military *attaché* in Paris is £500 a-year. That is charged in the Diplomatic Estimates. He also receives his half-pay from the War Office, and an allowance is made to him for certain expenses out of funds in the hands and at the disposal of the Secretary of State for Foreign Affairs.

Mr. MONTAGUE GUEST: Is it a five years' appointment?

Viscount ENFIELD: The appointment is held for an indefinite period.

DEFENCES OF CANADA.—QUESTION.

Sir CHARLES ADDERLEY asked the Under Secretary of State for the Colonies, Whether the Government are sending guns for the works already completed on the right bank of the St. Lawrence, opposite Quebec; whether the works on the north side are begun, and how far the proposed Vote of £9,000 is expected to go towards their whole estimated cost; and, whether any of the cost of arming these works is included in the Estimates of this year?

Mr. KNATCHBULL-HUGESSEN said, the Government had not yet sent out the guns. No new works have been commenced on the north side. The whole of the £9,000 would be applied to the completion of the works on the south side. There were sufficient guns in store for both the north and south sides, but the time for sending them out had not yet arrived.

NAVY—H.M.S. "MEGÆRA."—QUESTION

Mr. KAVANAGH asked the First Lord of the Admiralty, Why the recommendation of the Admiral at Queenstown that the number of officers on board Her Majesty's ship "Megæra" should be reduced by four, she being in too crowded a state, has not been carried out; and, whether he will lay upon the Table of the House the Medical Report on the condition of the ship?

Mr. GOSCHEN said, in reply, that the recommendation that the officers on board the *Megæra* should be reduced by four did not originate with the Admiral at Queenstown. The House might remember that on Monday last the Secretary for the Admiralty communicated to the House the results of a personal inspection by Rear Admiral Forbes of the *Megæra.* On the receipt of the report of that inspection directions were given to land 100 tons of the cargo, and the Rear Admiral thought it was necessary that four officers should be removed. The matter was left to the discretion of the Rear Admiral. A private letter had been received by Sir Sidney Dacres from Rear Admiral Forbes, stating that when the cargo was properly diminished there would be ample room for all the officers on board.

INFANT SCHOOL CHILDREN.

QUESTION.

Mr. BAINES asked the Vice President of the Committee of Council, Whether it is intended by Articles 19 to 21 of the New Code that Her Majesty's Inspectors should examine children in Infant Schools under the new First Standard; and whether all the children under seven years of age will be transferred from the infant to the boys' or girls' department?

Mr. W. E. FORSTER replied that children under seven years would have to be examined in order that the Inspector should be able to ascertain that they are instructed suitably to their age. It would depend on the convenience of the Inspectors whether the examination should be held in the infant or other department of the school.

SUPPLY.

Order for Committee read.

Motion made and Question proposed, "That Mr. Speaker do now leave the Chair."

ENVOY OF PRINCE KASSA, OF ABYSSINIA.—OBSERVATIONS.—QUESTION.

Mr. POWELL called attention to the circumstances under which an Envoy from His Royal Highness Prince Kassa of Abyssinia to Her Majesty the Queen was detained three months at Alexandria; and asked the Under Secretary of State for Foreign Affairs, If he will state to the House the reasons which induced Her Majesty's Government to advise the return of the Envoy to Abyssinia without fulfilling his mission? The other evening an hon. and gallant Member congratulated the House upon the great success which had attended the Abyssinian campaign; but it should be borne in mind that that campaign had in a great measure been successful owing to the friendship and timely aid given by Prince Kassa to Lord Napier of Magdala. The British Army went through 240 miles of Prince Kassa's territory; and if Lord Napier were not leaving behind him a friendly Prince he would have had to occupy that country with a line of troops. He did not know the reason why Her Majesty's Government had not received the Envoy; but he could not help thinking that they ought to have shown greater courtesy to a Prince who had done us such good service.

Viscount ENFIELD said, he would endeavour to explain the reasons for the delay of the Envoys of the Abyssinian Prince at Alexandria; but first, with regard to the Correspondence, he wished to state that he would answer the Question another day. He was not aware that any Correspondence existed which could be laid on the Table. The facts with regard to the Envoys were these—On the 7th of October, Colonel Staunton reported the arrival at Suez of two Envoys from Prince Kassa bearing presents for the Queen. These presents were either to be sent to the Queen, or to be brought over to England by the Envoys. The Envoys were willing to pay their expenses to England, but when here expected to be treated as Royal guests, as they had been treated by the Khedive of Egypt. Colonel Staunton therefore requested instructions as to the course which he should pursue. Application was made both to the India Office and the Treasury on the subject. On the 10th of October the India Office expressed their regret that they had no funds available for such a purpose. When the unfavourable reply was received from the India Office application was made to the Treasury, who thought it would not be fair to make use of Imperial funds for the purpose of defraying the expenses of the journey of the Envoys and their maintenance in England. On the 3rd of November, therefore, with the concurrence of the India Office, Colonel Staunton was requested to inform the Envoys that their presents should be sent on to England through him, but that he was not authorized to encourage the journey of the Envoys themselves to England. The presents arrived on the 6th of February, at Southampton, and were said to be of the value of £1,500. They consisted of a gold-mounted burnous or robe, a gold-mounted head-stall for a horse, gold-mounted shoes, a gold-mounted collar or necklace, and a gold-mounted saddle. Accompanying the presents was a letter which it was very difficult to decipher, and it was only the day before yesterday that a translation of it could be obtained. The hon. Member might rest assured that this question had not escaped the attention of Her Majesty's Government, and that the Secretary of State for Foreign Affairs would lay the letter of the Envoys before Her Majesty. In the meantime Colonel Staunton had been requested to convey to those Envoys an assurance of the friendship which Her Majesty entertained, and to inform them that a suitable reply to the letter would be sent to be laid before their Royal Master. The delay was unfortunate; but it was not easy to avoid, but there certainly was no intention on the part either of the Foreign Office or the Treasury to treat the mission of these gentlemen otherwise than with friendly respect.

Mr. EASTWICK reminded the House that Prince Kassa had been of the greatest service to our forces in the Abyssinian Expedition, for at the very first interview with Lord Napier he presented the Army with $10,000 worth of food, including flour, which at that time was especially valuable. When our troops were leaving the country presents were made to Prince Kassa, and it was a very natural thing that he should have sent Envoys with return presents to the Queen. He regretted that it had not been thought advisable to pay the expenses of those Envoys. They were educated at Bombay by Dr. Wilson, and could explain the wishes of their master better than could now be done. He hoped it might still be deemed desirable to allow them to come.

Mr. GOLDNEY said, the hon. Gentleman who had introduced this subject happened to be a brother of the unfortunate Englishman who was murdered some time back in Abyssinia when on a hunting expedition. When the hon. Member and another brother sought assistance Prince Kassa came forward expressing his regret, and offered them every possible facility for discovering the author of the massacre, and even an army to accompany them into the district. He had heard from persons quite competent to form an opinion on the subject that greater respect for Englishmen could not be shown than had been evinced by Prince Kassa. After all that had been done by the Prince a little more consideration should have been shown to his Envoys.

Lord JOHN MANNERS said, he could not avoid remarking that, considering that the Abyssinian War had been owing to not answering a letter, it was doubly unfortunate that the same course should be again pursued by the Foreign Office. The noble Lord (Viscount Enfield) who had explained what had occurred in the clearest possible way, gave the House to understand that, up to the present moment, no reply had been given to the letter accompanying the presents brought over from Abyssinia in October last. Not only had no answer up to this day been given to this communication, but the Envoys of the Prince to whom we owed so much, were allowed to remain at Suez for a period of three months, without knowing whether they were ultimately to come to England or to be sent back, their mission uncompleted. He must say the reasons which had been assigned by the noble Lord for the long delay which had occurred, and for the refusal to receive the Envoys of a friendly Prince in England, were such as to give grounds for great regret. It seemed that neither the Government of India nor Her Majesty's Treasury could find the few hundred pounds necessary to receive with ordinary hospitality the Envoys of a friendly Eastern Prince, and he trusted the people of this country would take into consideration the cause of the unhappy line of conduct which had in the present instance been pursued, and would ascribe it to a policy to which we owed so much of the falling off of our *prestige* not only in the East, but in the West—a policy which led to the cutting down on every occasion, right or wrong, of our expenditure. He, for one, would appeal with confidence to the British public to say whether a few hundred pounds laid out in giving a hospitable reception to the Envoys of a friendly Prince would not be money well expended in the interests of civilization and the maintenance of peace among those Eastern nations.

INDIA—INDIAN HARBOURS.

OBSERVATIONS.

Sir JAMES ELPHINSTONE rose to call attention to the imperfect harbour accommodation which existed in India, and to ask for a Copy of the instructions given to Mr. Robertson, the eminent civil engineer, ordered to report on the subject. It was, he said, a subject of the greatest interest in a commercial point of view. For the last 10 years there had practically been no marine department connected with the India Office, and when it was taken into account that we had in the East something like 4,000 miles of coast, abounding with harbours of the greatest importance to the country, that circumstance was, he thought, somewhat extraordinary. For a period of nine years —he might add, since the surveyors had been discharged—the hydrographical superintendence of the coast of India had been almost completely suspended—a statement which was fully corroborated by a letter which he had received from an officer whose services had been of the greatest value to that department. Now, beginning on the Western Coast with the port of Kurrachee; the mouths of the Indus had been surveyed 20 years ago by the surveyors of the Indian Navy, than whom no abler men ever served any Government, and it was found that the rapidity of the currents made it impracticable to form ports at any of the mouths of that river. But, at the present time, the plans for the harbour at Kurrachee, which had been prepared by the late Mr. Walker, were in a state approaching completion. The harbour, he believed, would be a good one, which would be connected with the railway, which, he hoped, would be carried to Mooltan, and united with the Punjaub Railway, so that the products of that district might be brought down to the coast, passing the Gulfs of Kutch and Cambay. At Bombay there had been, principally by means of private enterprize, set on foot most extensive works of reclamation, which, in the course of time, would supply that city with partial harbour accommodation. But, when it was borne in mind that Bombay would probably, within the next 10 years, be the third or fourth mercantile city in the world, it would, he thought, be well that the Government of India should give such assistance—of a recuperative kind—as would enable the work in progress to be carried on more rapidly. Dry docks were exceedingly necessary at Bombay, and the first which had been built there was, he believed, constructed by a Parsee; its position being so well chosen that by simply lengthening it out, a dock some 400 feet long might be secured, which in itself would be a very great convenience. The Government of India, however, had erected a hydraulic lift at a place called Hog Island, some eight or nine miles off, where every appliance connected with the dockyard must be carried — thus causing great delay in operations connected with the repair of ships; whereas, the old dockyard, by making a slight encroachment on the harbour, might be utilized. Proceeding southward, the first point to which he wished to call the attention of the House was the want of lights on the coast of India. Taken altogether, there were only 40 lights, of which very few were first class. There was an urgent want of first-class lights at the following 14 points on the Malabar Coast:—1, Severndroog; 2, Rettna Geria; 3, Viziadroog; 4, Cape Ramus; 5, Pigeon Island; 6, Mangalore; 7, Mount Dilly; 8, Sacrifice Rock; 9, Calicutt; 10, Cochin; 11, Quilon; 12, Cape Comorin; 13, Minicoy, an island in the Eight Degree Channel; and, 14, one of the Laccadives, abreast Cannanore. The hon. Baronet described in detail the points at which, in his opinion, harbours might be advantageously formed, docks constructed, or lights established, and said that, knowing what he did of these subjects, and having been requested by gentlemen deeply interested in the trade of India, he felt it his duty, though having no longer any personal interest in the matter, to press the subject upon the attention of the Government and of Parliament. The want of lights on the Malabar Coast was very great, and it was almost impossible to approach it with any degree of safety. As an example of the accidents which now happened, he would mention that the *General Outram* steamer had foundered within easy access of Viziadroog Harbour, between Goa and Bombay, which, in 1844, 1855, 1859, and 1870 had been indicated to the authorities as a natural harbour of refuge, only requiring a light; the Honourable Company's steam frigate *Memnon* was lost on Cape Guardafui from bad charts; and one of the Peninsular and Oriental Company's ships was wrecked upon Minicoy from the want of a light there. On the Coromandel Coast there would be no difficulty in clearing the harbour of Negapatam, the outlet of the whole of the magnificent delta of Tanjore, one of the most fertile regions on the face of the earth. The mouth of the river at that place continued very shallow, and laden boats were unable to cross it, except at high water. In 1837 the quantity of grain imported was 650,000 bushels, valued at £149,000; but in 1865 the quantity had increased to 4,694,000 bushels, the value of which was £1,703,000; but rice was principally imported into Ceylon from Negapatam, and there would be no difficulty in clearing away the bar and greatly improving the harbour of Negapatam; but the Government of India would not make the outlay necessary for the purpose. With regard to the harbour of Madras, it was much to be regretted that no steam-tug was stationed there. Some years ago a pier was built for the landing of passengers and goods, to avoid the passage through the surf; but it was hardly finished, when a small French ship broke loose and lodged in the centre of it. Had there been a steam-tug attached to the harbour of Madras, that ship might have been laid hold of and towed clear of the jetty and anchored in some convenient position, or allowed to go ashore; but the repairs of the damage cost £20,000 or £30,000. The intensity of the cyclones occurred pretty nearly in the latitude of Madras, and therefore it was requisite to have two good steam-tugs attached to the roadstead there, so that when ships got into trouble they might be laid hold of and towed out to sea. To the north of Madras there was a harbour called Port Blackwood, formed by a bank of sand and gravel about two miles off shore; and it was only necessary to construct a small breakwater, at little cost, to make it a safe harbour. The want of a light also tended to make the port of Blackwood a dead letter. With these alterations ships would be able to run safely for the harbour when caught in a cyclone. Considering how much had been done by steam dredges to open a way to India through the Suez Canal, he thought that the Government of India would do well to employ one of such dredges to keep open the port of Coringa on the Godavery, and others at the places he had previously described.

The works he had now alluded to were absolutely necessary for the development of the trade of India. In the harbour of Coconada a great number of vessels were built; but it was feared that the mouth of the harbour was silting up. There were various points also on the shore of Orissa where, if they were dredged, light-draught steamers would be able to go. Had that work of dredging been effected before the time of the famine, light-draught steamers, such as he referred to, might have been used in conveying food to the inhabitants during the famine, and thereby vast numbers of human lives might have been saved. He considered it one of the first duties of a Government to turn their attention to. There was a vicious system of centralization in India. The Supreme Government, which consisted of Bengal civilians, assisted by one eminent man from each Presidency, settled all the disbursements to be laid out, even to the smallest sum; and, as Bengal civilians were not so well acquainted with those parts of India where they had not themselves served, they did not attach that importance to the coasting trade of India which it really deserved. Cochin was the best harbour on the Malabar Coast, to the south of Carwar, and by a very little dredging it might be put in such a state that any ship might go there; but although the present state of things had been reported over and over again to the Supreme Government, no improvement had been made. There was a breach in the coast which, if not filled up, would increase, and the safety of the harbour of Cochin be endangered. As they had sent an eminent engineer, Mr. Robertson, to India for the purpose of surveying these harbours, he should be ordered to survey every harbour in India, and report on each *seriatim*, without waiting to complete the work, so that measures might at once be taken for this improvement piecemeal. Harbour works were the first efforts made by civilization for a country, and he did not see why the Government of India should not place themselves in communication with the Government of this country, with a view to avail themselves of some such means as were intended to be applied to improve the harbour of Galle—he meant a loan from the Imperial Government, to be paid off in 30 years. He was sure that, as the result of these measures, trade would be increased, and the shipping of India would always be ready to pay moderate dues for increased safety, light, and comfort in making their voyages.

SIR JOHN HAY: Sir, I have no wish to delay the House from entering on the discussion of another question which, perhaps, may be more generally interesting; but as I have had the honour of serving in the seas alluded to, and was a Member of the Committee of a former Parliament, which reported on the Paumben Channel, one of the most material subjects alluded to by my hon. and gallant Friend, it will not be necessary for me to speak at any length, for my hon. and gallant Friend has treated the subject in so complete, clear, and exhaustive a manner, that there is little to be added to his general statement. I desire, however, to confirm from personal knowledge one or two of the matters which he has brought under the notice of the House. And, first, let me express the great regret which must be entertained, not only by all Englishmen, but by all the maritime nations of the world, at the abolition of the famous old Hydrographical Office of India, whose surveys for 100 years held the highest rank, quite equal to the magnificent old Spanish surveys, which even now bear the test of modern investigation; or of those which the distinguished surveying officers of our own Navy, under the Hydrographical Office of the Admiralty, produced for the benefit of navigators in all parts of the world. When we remember the enormous seaboard which is within our dominions in the East, and for whose safety we are responsible, I think the House must feel that it would have been wiser if the retrenchment which sacrificed that office some 10 years ago had not occurred. I do not say this with any desire to find fault with the hon. Gentleman (Mr. Grant Duff), who is not responsible for the reduction. Indeed, I think the hon. Gentleman has taken a very proper step in sending out Mr. Robertson to make inquiries; and, though these inquiries are only of a limited nature, and the appointment is not a permanent one, as it should be where there is so large a field for observation and survey, I must tender my thanks for even this limited inquiry. But a permanent and continuous maritime survey would certainly be most advantageous to India, and to the general commerce of the East. On one or two of the other points so exhaustively treated by my noble and gallant Friend, I desire, by the indulgence of the House, to make a few short remarks. And, first, as to the necessity for improvements in the harbour of Bombay. Few ports in the world have a larger commercial importance; and yet during half the year, whilst the south-west monsoon prevails, the shelter necessary for discharging the most valuable cargoes in that harbour was utterly insufficient. The House will remember, in proof of this, that the only part of the great expenditure in the Abyssinian War which could be called unprofitable was due to the impossibility of discharging the transports which crowded the harbour of Bombay, after the necessity for their services had ceased. It surely would be to the interest of the Imperial Government, as well as of the Indian Government, to take steps to improve the harbour of Bombay, so as to afford that protection to shipping which, in almost all other great commercial harbours, was afforded to vessels when loading or discharging cargo. The evils of the absence of the Hydrographical Department is also shown by the want of supervision, instanced in the case of the lighthouse built by the Rajah of Travancore. An enlightened potentate, desirous of contributing in a material manner to the safety of the commerce of India, was unable to obtain the proper advice as to the spot where his generous gift might be most useful, and, as pointed out by my hon. and gallant Friend, the money has been wasted for want of proper supervision. On one other point I desire to corroborate what has fallen from the hon. and gallant Member. I think the hon. Member (Mr. Grant Duff) is mistaken if he considers that the opening of the Paumben Channel is a work for which the revenues of Ceylon should be specially chargeable. So far as Ceylon is concerned, there is now a channel from Palk's Straits to the Gulf of Manaar, through which vessels of light draft can readily pass, and convey the supplies of rice, or other commodities, in which Ceylon is specially interested, from the Coromandel Coast to Colombo. The object of deepening the channel from the Gulf of Manaar to Palk's Straits is for ocean-going steamers, and, since the opening of the Suez Canal to the class of vessels which navigate it, has become of still greater importance. To make the matter clear to the House, let me point out that the islands of Ceylon and of Ireland are about the same size. Let us assume that the trade from Glasgow to Liverpool were interrupted by a narrow isthmus of four miles wide, stretching from Portpatrick to Ireland, and that all the important trade between these two ports had to circumnavigate Ireland by Cape Clear—would the nation which had constructed our great railways and canals hesitate to cut through the obstruction, and shorten the route to that which now exists? Well, the present trade from Western to Eastern India had to pass round the whole island of Ceylon, adding both considerable risk and 320 miles to the voyage; and for a comparatively small sum of £300,000 the whole of this could be saved to our trade. Let me suggest to the hon. Gentleman to consider whether some arrangement similar to that adopted in the building of lighthouses on the Basses, in the same neighbourhood, might not be adopted, and a sum of money advanced in order to complete this work rapidly under the authority of the Public Works Loan Commissioners. The tolls to be collected would be easily adjusted on a consideration of the saving effected in the length and risk of the voyage, and I feel certain would be readily contributed by the commerce of all nations trading to India. Thanking the House for their patience, I would commend this matter to the consideration of the Under Secretary of State for India.

Mr. GOURLEY said, he quite concurred with the hon. and gallant Member who had introduced the subject, that it was one of the great duties which the Indian Government was bound to discharge towards the people of India to provide proper harbours and lights along its coasts. Great improvements in those respects were, he believed, very necessary, especially on the coast of Malabar. A new survey of that coast was also much required. An annual charge of £56,000 was made on the Indian Government for the use of the vessels of war we sent out to the Indian Seas; and his impression was that those vessels might be utilized with great advantage in surveying the coasts of India, instead of being generally kept in harbour at Bombay, Calcutta, or some other port. Moreover, the traffic between this country and India by the Red Sea was fast increasing; but he believed that no steps had yet been taken with the view of having the Red Sea re-surveyed, although such an operation was now most urgently needed. Last year he himself put a Question on the subject, owing to a statement made in the public journals that the charts of the Red Sea were so inaccurate as to lead to the probable loss of life and property. It was said that some of the rocks were laid down quite four miles from their real position.

Mr. GRANT DUFF said, his hon. Friend had already brought before the House the various plans that had been recommended to the Indian Government with respect to the water way between the island of Ceylon and the mainland of India; but he was not sorry that he had thought fit to call attention to the defective harbour accommodation of India. In a country like India, where the Government was obliged to take the initiative in almost every improvement, the number of public works which it had to call into existence was so enormously great that there was a perpetual battle for life going on among them. One great authority was all for canals, another declared that railways were of the greatest importance, another pointed to common roads, a fourth was for improving the navigation of the back waters, and making half navigable rivers wholly navigable. Every man had his pet project, and five-sixths of the projects were really exceedingly good in themselves, if sometimes a little premature. Under those circumstances, it was perfectly right and reasonable that sailors, who had experienced the want of good harbours and harbour accommodation in India, should come forward and tell them so. The Government of India most fully admitted the existence of the want, and if those who took it to task did not quite do justice to its good intentions and good acts, they nevertheless really strengthened its hands. The remarks of the hon. Baronet (Sir James Elphinstone) fell under two heads—first, harbours; and, second, lights. The hon. Baronet spoke of the Indian Seas from his own knowledge, and, in so far as he himself (Mr. Grant Duff) had any means of checking what he said from books and conversation, his remarks, except with regard to the Paumben Channel and its neighbourhood, under both those heads appeared to him generally correct. He was assured by competent persons that—especially on the Western side of India—there were not a few places where very fair harbours, and two or three where admirable harbours might be made, and at comparatively little expense. He must, however, draw attention to the fact that the best sites for harbours in Western India—Poshetra, Seraia, Marmagao—were all, by an unfortunate accident not in British territory, the first belonging to a feudatory of the Guicowar; the second to another Native Prince, whose name might not be altogether familiar to all hon. Members, the Jam of Nowa Nugga; and the third to the Portuguese. He had no doubt the time would come when we should have several very good harbours on the Western Coast of India, even in British territory—he was told, for example, that an excellent harbour of refuge might be made behind the Vingorla Rocks. But when the hon. Baronet blamed the Government of India for not having done all that might be done in creating harbours of refuge on the Indian Coasts, he should remember that similar negligence had prevailed elsewhere. The hon. Baronet knew something of the difficulty of getting harbours of refuge made even in England. He himself sat with his hon. Friend on a Committee 13 years ago, under the presidency of Mr. James Wilson, to see whether harbours of refuge could not be provided along the British Coasts—at Peterhead and elsewhere—but up to this day it had been found wholly impossible to get the harbours made, because no one could show how the money was to be provided. Everybody admitted they would be desirable; but the number of desirable things on which the nation had set its heart was so great that the desirable things of the few were crushed down under the rush for other desirable things on which a larger number of people had set their hearts. It was very far from true that the Government of India had altogether neglected the harbours of India. Kurrachee had cost, first and last, nearly £400,000, and would cost much more. This was no inconsiderable share of the money which the India Government could reasonably appropriate to the work of harbour improvement. Carwar had cost more than £70,000, and a good deal had been spent at Cochin, in the Hooghley, and elsewhere. But in India much more was thought about the land than about the sea. The mere fact of the Government of India having asked them to send out the engineer, about whose instructions the hon. Baronet asked, showed that his remarks had been anticipated by the suggestions of persons connected with that Government. Mr. Robertson was appointed to prosecute inquiries with a view to the improvement of some of the minor harbours on the Indian coast. The Indian authorities, however, in this country were not in possession of his instructions. Mr. Robertson was directed to report himself to the Government of India, and to receive his instructions from it, except as regards the harbour of Aden, with respect to which he was put in communication with the Government of Bombay. Then as to lights; no doubt, the coast of India was indifferently lighted. There was a light about every 70 miles, from the Indus round to the south of Burmah; but we ought to have more, say one every 50 miles. For instance, Dwarka Point, Viziadroog, Deria Bahadur Ghur in our own territory, and Jinjeera and Enciam Island in non-British territory, were places where it was very desirable that lights should be placed. The establishing of lights at all these places, and at many others, however, was a mere question of time and opportunity, and, above all, of the relative urgency of the demands upon the purse of the Government; but Rome was not built in a day, and they could not do everything at once. It only remained for him to add a few words with reference to the points raised by the hon. Member for Sunderland (Mr. Gourley). He (Mr. Grant Duff) was obliged to admit that the Indian marine surveys were in anything but a satisfactory condition, forming a most remarkable contrast to the land surveys. Up to about a generation ago this was very far from being the case, the marine surveying work, which was done in the first 40 years of this century along the Indian Coasts, being very creditable. Then, however, the service began to languish; and in 1861, when the passion for incorporating all Indian things with the things of the Imperial Government was at its height, the whole of the Indian marine surveys were, or were meant to be, handed over to the Admiralty; and the then Secretary of State in Council announced to the then Viceroy that all future surveys and charts would proceed from the Royal Navy at Imperial expense. Whether,

however, the Admiralty ever definitely accepted the full responsibility with which the Secretary of State in Council believed that it had become charged was another question. It was enough to say that nothing had been done by the Admiralty to satisfy Indian surveying requirements. and that a great deal of marine surveying work was very urgently needed. The attention of the present Secretary of State in Council having been recently called to this most important matter, a despatch was just about to be sent to India, pointing out the pressing necessity of attending to it, and he hoped the Government would lose no time in informing the Home Government of its views as to what surveys are most wanted to correct and complete the existing charts of the Indian Seas and Coasts. He quite agreed in what the hon. Member had said of the importance of marine surveys, and was very glad that this conversation in the House of Commons should synchronize with, and give further emphasis to the despatch of the Secretary of State in Council.

EDUCATION—THE NEW CODE.

OBSERVATIONS. RESOLUTION.

MR. KAY-SHUTTLEWORTH rose to call attention to the New Code of Regulations issued by the Committee of the Privy Council on Education, and now lying upon the Table of the House. Considering that the New Code contained so much that was of importance, he thought he need not apologize for calling the attention of the House to the subject, although, owing to his inexperience of debate, he might fail to make it interesting or attractive. By the Education Act of last year Parliament provided that the quantity of education given in England and Wales should be greatly increased; and by the Minute which the Education Department had recently issued the right hon. Gentleman the Vice President of the Council (Mr. W. E. Forster) had very properly attempted to provide that the quality of the education given in schools aided by the State should be of a satisfactory character. It would be difficult to say which of these tasks—providing for an increase of schools or framing regulations to ensure a good quality of instruction—was the more important. For his own part, he begged to thank the right hon. Gentleman—and had no doubt that the House would join him in this—for the admirable provisions he had introduced into the New Code. But he thought it would be more profitable that, instead of dwelling upon the excellencies of the Code, he should call attention to certain points where he thought the right hon. Gentleman had either left undone that which he ought to have done, or had even done that which he ought not to have done. He must, however, first express his delight at finding that this was an absolutely New Code, and not merely a revision of previous revisions of the Revised Code. The first subject to which he desired to address himself was that of infant schools. Hardly any portion of our school organization was more important. Now, he much regretted that, as no Government grant was to be given for children under four years of age, such infants would be practically excluded from these schools. No doubt there was a great deal of truth in the view of the right hon. Gentleman, that infant schools were places where instruction should be given, and not where infants should simply be taken care of. But he thought he could successfully argue that for the sake of education children should be attracted to school before the age of four; and he asked what child of four could be more easily taught—that which came straight from the gutter, or one that had been in the baby-class, and there learned habits of obedience, cleanliness, and order? Again, he would ask if it were intended to exclude from school all children under four years of age, who were to take care of them? He feared that in a great many cases elder sisters would be kept away from school to look after younger children, and, probably, both would spend their time in the gutter. The 400 masters and mistresses who had recently met at King's College had but one feeling—namely, that it was most desirable to afford every encouragement to children to go to an infant school at an early age. He would pass on to the subject of the increased number of attendances required at day schools. This was a provision of which he approved; but he wished to suggest whether the form of the provision would not tend to cause neglect of children whose attendance was irregular? From the Returns which had been moved for by the right hon. Member for the University of Oxford (Mr. Gathorne Hardy) it appeared that 20 per cent of the children presented for examination by day schools in England and Wales did not come up to the requisite number of 250 attendances; and he would suggest that there should be two rates of grant—the higher for children who gave 250 attendances, and the lower for those who could not attend so often, but yet came 200 times in the year. His next point had reference to evening schools. This, he thought, was a very important branch of the subject. The evening schools seemed to have three functions. First, they had to keep alive in one class of children the instruction which had been given to them in the day school. To a second class they had to give elementary education in history, geography. and grammar, and similar subjects; supplementary to that given in the day school. And to a third and higher class of scholars they had to impart instruction in science and art. He hoped that before long the first of these functions would disappear, but, meanwhile, it must not be despised; for, although there would be a progressive rise in evening schools, they had at present to perform a humble work which ought not to be undervalued. With respect to that portion of their work which was supplementary to the education of the day schools, this Code would, he feared, absolutely extinguish the small rural schools, while it gave no support to the higher class of elementary evening schools such as existed in large numbers in Lancashire and Yorkshire. He though that grants ought to be given for the work which was supplementary to that of the day schools. The right hon. Gentleman proposed, under Schedule 4, to give an additional grant to day schools for instruction in higher subjects; but he did not extend the provision to evening schools for adults, as it would seem that he ought *à fortiori* to do. The provision, that no scholar over 18 years of age should earn a grant for evening schools, he thought a great mistake. By-and-by there would probably be such a demand for adult education that no such encouragement would be necessary; but at present, at all events, he hoped this limit would be removed. It might be said that elementary education ought not to continue beyond the age of 18; but his answer was that such a rule would tend to stop all elementary education which did not go beyond that of the day schools; and under the Code itself it was intended that a boy who had in the day school passed in any standard could not be examined in the same or a lower one in an evening school. The provisions with respect to the number of meetings and attendances at evening schools deserved the attentive consideration of the House, for the Vice President expected far too much from them. Under the Revised Code the number of attendances required to qualify a scholar to be present at an examination was 24, but under the New Code it was raised to 50; and while, under the former, 40 school meetings were required before an inspection could take place, under the latter 80 meetings were necessary. The Returns issued that morning showed that only 56·6 meetings were on the average held now by schools in receipt of the Government grant, and therefore the sudden increase to 80 seemed too bold. A clergyman residing in a rural district near the borough he had the honour to represent had written to him a letter in which he said that for 10 years he had laboured both summer and winter to support evening schools; but under the New Code he would have to give them up, or do the work and find the money too. His own experience was that the same result would follow in the manufacturing districts, and that it would be found impossible to comply with the demands of the Code. To comply with the conditions as they stood at present, a school held only two nights a-week would have to meet during 40 weeks of the year, and a school held three nights a-week would have to meet for 27 weeks in order to earn the grant, and this seemed impracticable. The meeting of schoolmasters and mistresses to which he had referred was unanimous upon this point—that if so many attendances were required at evening schools they would be practically extinguished; he therefore hoped that the number of attendances would be reduced to 40 and the number of meetings to 60. He much regretted that provision had not been made to have separate teaching staffs for the morning and evening schools, for with a single staff it was impossible that justice should be done to both. He had hoped that the right hon. Gentleman would either have acted upon the old Code which prohibited a master of evening schools from teaching in a day school on the afternoon of the same day, or — which would be much better—that there should be an itinerating organizing master, who should have charge of a group of evening schools, teaching in each one or two nights a-week. This plan had been tried with considerable effect in that part of the country in which he himself resided. He regretted that under the New Code Miss Burdett Coutts's plan as to rural schools was to be given up, when he had hoped that the principle of it would have been extended to evening schools. There was one alteration introduced into the Code which he thought was a great improvement, and that was that the plan of the Revised Code for a sham examination conducted by managers should be given up, and that something like a real examination was to be substituted for it; but he regretted that there was not to be a regular annual inspection of evening schools with a view to their receiving the Government grant. He would say a few words as to the system of standards. There was nothing to which the teachers more strongly objected than the provisions continued from the Revised Code, by the 27th Article, under which it was provided that no scholar might be presented a second time for examination under the same standard. What was the meaning of this? It meant that there should be a rigid, artificial, uniform rate of progress for every child, whether he were dull or clever, full-time or half-time, industrious or idle. The child must advance exactly at the proper rate or the highest grant could not be obtained. A clever, industrious, full-time child would be held back, because if the teacher were to present him in too high a standard he would run the risk of losing the grant for a year; and as his object was to get the maximum grant by presenting the child under six successive standards for six successive years, he would never allow the child to have what they used to call at Harrow "a double remove." The dull child and the half-timer would be pushed on, and presented each year in a higher standard than last, and still pushed on, though failing in each; and these successive failures must have a most demoralizing effect upon the child.

The teachers' meeting passed a resolution, which suggested that the article should be so altered that the child who had failed might be presented again and re-examined in the same standard with the view of obtaining the grant. By Articles 30 and 31 of the New Code, it was provided that after the 31st of March, 1873, no day scholar above four, nor evening scholar above 13 should be examined in Standard I., and so on; and this was very much objected to by teachers. He would suggest that these regulations should apply only to cases where school boards had been elected, and had adopted a by-law to enforce attendance. He must now say a word as to pupil-teachers. No separate payment was to be made to teachers for the instruction of pupil-teachers, and, consequently, there would be no part of their duty which would be more likely to be neglected. He hoped that the right hon. Gentleman would make it a condition of the grant that managers should set aside part of it as a payment to the teacher for the instruction of pupil-teachers. There was another subject of much importance—the giving of good-service pensions to teachers; and he regretted that his right hon. Friend had not seen his way to make some provision for the old age of teachers. The inducements to enter this profession were, at present, lamentably small, and parents, he believed, were by no means willing that their children should seek in that direction for their livelihood. The temptations for schoolmasters and schoolmistresses to quit the profession, too, were, at all times, considerable. The establishment, therefore, of a really good system of superannuation pensions would do much to promote the excellence and efficiency of this deserving class of public servants. The hon. Member for Birmingham (Mr. Dixon) had given Notice of a Motion, the second part of which, if adopted, would work great injustice to many of the best schools; it was that the voluntary contributions should amount to one-third of the Parliamentary grant, or else that the Parliamentary grant should be proportionately reduced. But cases might easily be conceived where, owing to a pressing need for expenditure, the private contributions, in one year, might actually flow in so as to equal the grant, and yet, in the year following, on account of the very largeness of the expenditure in the previous year, they might fall to a point below one-third of the Parliamentary grant; which, accordingly, would have, under the Motion, to be reduced in amount. His hon. Friend would see, therefore, that even in cases where voluntary contributions were forthcoming to a sufficient amount, reckoning two or three years together, his Motion would inflict a very grave injury. In conclusion, he would recapitulate the Amendments to the New Code which he would venture to urge upon the Government. The first was the omission of the limit of age in infant schools to children of four and upwards; the second was the adoption of the Amendment of the hon. Member for South-west Lancashire (Mr. Assheton Cross) as to the limit of age to 18, and as to the number of meetings and attendances in evening schools; thirdly, the modification of Article 21 so as to extend to evening schools the grant in respect of higher educational subjects; fourthly, the omission of Article 29, so far as it related to scholars who had failed in two of the three rudiments; fifthly, the limitation of Articles 30 and 31 to districts where attendance is compulsory; sixthly, provision for payment to teachers for the instruction of pupil-teachers; and, lastly, a provision for pensions to schoolmasters and schoolmistresses.

MR. GATHORNE HARDY said, that he rose immediately after the hon. Gentleman who had just addressed them (Mr. Kay-Shuttleworth), because of the peculiar position which they found themselves in in reference to this discussion of the New Code. There were a number of Notices of Amendments on the Paper, yet, under the peculiar circumstances of discussing this question on going into Committee of Supply, it was impossible that they should be moved, and, consequently, hon. Members would not have a proper opportunity of offering Amendments on the New Code. It would, perhaps, be better if the New Code had been before the House for a longer period. It only came before the House on the 17th of February, and of course it would take a long time to circulate through the country. The managers of thousands of village schools were interested in the subject, and many would not receive the Code until, perhaps, a fortnight or three weeks after its publication. The only course hon. Members could pursue on the present occasion was to bring under the notice of the right hon. Gentleman the Vice President of the Council on Education the objections they entertained to the Code; because, if the Amendments they desired could not be made before the Code became law, they would be compelled to take steps by Resolution or otherwise thereafter. There was one satisfactory part of this question—that was that the night-school part of the Code would not come into operation for some time; and no doubt, therefore, they would have an opportunity of bringing forward Motions; and he hoped that the right hon. Gentleman would re-consider that part of the Code, and bring it more into conformity with the wishes of the country. With respect to infant schools, there was some doubt in the country as to the meaning of the Code. One section said the children attending such schools were to be above four and under seven years of age at the date of inspection. Therefore, children might attend the schools when they were only three years old. It would seem, however, according to the 25th section, that no grant or allowance would be made in respect of the attendances of a child under four; by that it would seem that these attendances would not be reckoned although the child might have reached the age of four at the time of the examination. He wished to hear from the right hon. Gentleman what would be the effect of that section. He should himself read the two together, and say that as to a child who was four at the time of the examination its attendance would count. [Mr. W. E. FORSTER dissented.] Then he wanted to know what advantage was got from bringing these children up for inspection. If their attendances were reckoned then there would be a certain amount of grant. He had understood, certainly, that a grant would be given for the attendance of every child in the school. He quite concurred in the propriety of not making Government grants for mere baby attendance, because in such cases no instruction could really be given. He had himself seen children two years old brought to school. The question really was how soon valuable instruction could be given to children? He now came to the question of attendance; and, after looking at the Return which was issued that morning, and for which he moved the other day, he must admit there was not much to be said against the 250 attendances. As to pupil-teachers, he understood his right hon. Friend (Mr. W. E. Forster) to say that Amendments would be made to meet the difficulty; and therefore would say no more upon that. He now came to the important subject of the night schools, on which he had received communications from every part of the country, mainly from the rural districts. As a rule, the writers agreed in saying it was impossible for them under the present conditions, or under the conditions which the New Code would impose, to get a night school together as many as 80 times in the course of a year. The Return containing the figures with respect to night schools showed that, though a certain number were open as often as 80 times in the year, yet in the rural districts such a thing never occurred. It was stated in the Return that 2,504 evening schools were examined last year, and that they met altogether 141,890 times, so that each school met on the average 56 odd times. He admitted that in towns there might be 80 openings of a night school in the twelvemonth; but in the rural districts this could not be done, as many of the scholars had to come from a considerable distance, and the time of year during which they could attend was very limited. It should also be borne in mind that, in country places, people went to bed wonderfully early. Every inducement should be offered to working people to keep up their knowledge by their attendance at evening schools, for, even if nothing more than that were accomplished, the schools would do a work which would be most valuable to the State. It was said that the effect of the New Code would be to close 2,000 out of the 2,500 night schools that were inspected last year. He did not say that the managers would not make efforts to keep them open; he was speaking only as far as Government aid was concerned. This was not the view of managers only; but an Inspector wrote that it was "a monstrous and untenable proposition to require 80 meetings of a night school, and that the provision would extinguish every night school in his district." His pockets were full of letters on the subject, and no doubt many hon. Members had received similar communications. He agreed with the hon. Gentleman (Mr. Kay-Shuttleworth) that the question of attendances required revision, but that did not necessarily involve going back to the provisions of the old Code. For a few months longer, under its provision, only 24 attendances at evening meetings would be required; but the jump from 24 to 50 was too great; and he should be satisfied with what was asked for by the hon. Member for South-west Lancashire — 60 openings of the school and 40 attendances. He wished to know how, under the New Code, scholars at night schools were to be examined—for these scholars were mainly young men and boys who were at work all day, and who could not be called away to centres of inspection or examination. Unless 20 scholars were collected at a particular place there could be no inspection there, and there were villages which could not, possibly, muster 20 night scholars. Of course the examination ought to be a real one; but the Inspectors ought to be brought to the spot. The scholars were all persons earning wages, and therefore under the Code there could no examination without subjecting them to loss. The New Code seemed to omit altogether standards of examination for evening scholars, and it did not provide for their examination in higher subjects. The reduction of the grant by its excess above 15*s*. per scholar, according to the average attendance, was a limitation which would deprive a number of schools of any advancement; for there were great variations in the proportions between the average attendance and the number sent in for examination. He had received a statement respecting a school in which there were no infants, the master of which calculated that he would not be able to earn anything for extra subjects because the 15*s*. limitation would come in; and it really seemed that it would be impossible under the New Code for a school to obtain the maximum of the grant. There was thus, practically, no encouragement to go beyond reading, writing, and arithmetic. Then as to the grants to elementary schools—the Resolutions which prefaced the New Code, said the Code of 1870 would determine grants payable up to the 31st of March next, and the New Code those which fell due on and after the 30th of April; and the question therefore arose what was to become of the month of April. Nobody knew whether it was to be under the old or the New Code. As Standard II. in the Old Code was Standard I. in the New Code, on the 1st of May children who entered the school in May last year were to be examined; but it seemed to be unreasonable that children who were now being trained to pass the lower standard should be called upon to pass the higher one at short notice, and that children who had not been examined before should be placed on a footing with those who had been previously examined. He hoped his right hon. Friend would make provision of some months to get the children up to the proper mark for passing the examination, as it was hard that they should be cut off from the Government grant. With regard to the girls being put in the same position as the boys, he reminded his right hon. Friend that girls had to be taught needle-work and cutting out, and yet they were required to be brought up to the same standard of arithmetic as boys, which hardly seemed fair. [MR. W. E. FORSTER: They are much sharper.] Assuming, with the right hon. Gentleman, that girls were sharper than boys, the right hon. Gentleman was not consistent, for in the case of the pupil-teachers, he found that the females were always kept a year behind the males in arithmetic. The right hon. Gentleman had said that in the schools the girls must be kept up to the same standard as the boys; but if he would look at pages 14 and 15 of the New Code, he would find that in the second year the male pupil-teachers were to go as far as Vulgar Fractions, whereas the females were only to go as far as Proportion; that in the third year the males were to go as far as Decimal Fractions, and to the end of the 16th proposition in Book I. of Euclid, whereas the females were only to go as far as Vulgar Fractions; and that in the fourth year the males were required to go as far as Algebra, while the females had to go as far as Decimal Fractions only. He quoted these figures because he thought that they would show that the right hon. Gentleman was inconsistent in requiring that the girls in the schools should be kept up to the same standard as the boys, when he made a distinction between the male and female pupil-teachers.

He was aware that it was said that when the higher branches of arithmetic were reached it was impossible to maintain an equal standard for both males and females, because the former had so much more time to devote to this peculiar branch of study than the latter had at their disposal; but did not that observation apply to the boys and girls in the schools as well as to the pupil-teachers? Upon the subject of the time that ought to be allowed for religious instruction, he thought that some deduction should be made in the hours devoted in the afternoon to secular instruction, in order to permit the children to receive religious instruction without unduly detaining them at school towards evening. It should be recollected that many of the smaller children had to go miles along clayey roads to get home, and that in the short winter days they frequently did not reach home until it became dark. In riding through country districts he had found the children returning from school towards dusk run miles after his horse for the sake of company on the journey. He should suggest that a quarter of an hour should be deducted from the afternoon secular instruction, in which religious instruction could be given. He found, on looking at the Code, that certain regulations were to apply to the "rural districts," and he should be glad to learn from the right hon. Gentleman whether that term applied to small country towns as well as purely agricultural districts. He should also be obliged by the right hon. Gentleman explaining distinctly the date at which inspection on religious subjects would cease, as there appeared to be some uncertainty with respect to that subject. He understood it came to an end on the 30th April. [Mr. W. E. Forster: On the 31st March.] He trusted that the right hon. Gentleman at the head of the Education Department, whose zeal in the cause of education he fully appreciated, would accept the remarks he had thought it to be his duty to make in the spirit in which they were addressed to him, and that after having passed such a great educational measure, which everybody in the country appeared to be endeavouring to carry out not only in its letter, but in its spirit, he would not stint its operation by attempting to save a few pounds annually in grants.

Mr. DENT said, that it was only by going into these questions of detail that they could see how the Education Act could be best carried into operation. He thought that the New Code was, taken altogether, an improvement on the former. He thought, for instance, that increasing the number of attendances would prove of great advantage, and one that could be easily carried out. He thought, also, that the raising of the standards was quite right. With respect to the smaller districts, in the borough which he represented (Scarborough), where there was a large population engaged chiefly in fishing, the children were largely employed during the summer in waiting upon the visitors; whereas they were almost entirely at leisure during the winter months, and therefore it would be a great boon if, as in the rural districts, they were to be excused from attendance at school during the summer, on the understanding that they should make up for lost time during the winter, provided they were able to pass a certain examination. The regulations for examinations should be made rather more stringent, in order that all children who were qualified by their number of attendances should be compelled to come up for examination. By this means not the merit of a selected few of the children, but that of the whole school, would be ascertained. The clause was rather more strong as regarded the pupil-teachers, which he was glad to see, because he thought that hitherto the teaching power had been inferior to what it ought to be. As regarded evening schools, the right hon. Gentleman (Mr. G. Hardy) complained there was no provision for the examination of boys in the higher standards. But he (Mr. Dent) thought it was scarcely right to ask the country to pay for the education of the poorer classes beyond the point of the sixth standard. He thought that when they reached that they ought to provide their further education at their own expense. He approved the change that had been made in the method of examining in the schools, because he did not think that the examinations ought to be left entirely in the hands of their managers. He concurred entirely in the views that had been expressed respecting infant schools; for unless these were supported the elder girls would be kept at home in order to look after the little ones. Again, children ought to be encouraged to learn their lessons out of school, which was seldom done at present—there was very little pains taken to teach the children at home. He hoped the plan of insisting upon two hours in each day being devoted to secular instruction would have the effect of putting a stop to the too prevalent practice among schoolmasters of allowing parents to curtail the hours of their children's attendance at school. With regard to the extra subjects, he thought a better plan than that proposed by the Government would be to grant 1*s*. a-head for each of such subjects, as the 15*s*. per head could be obtained without the extra subjects. With respect to the Motion shortly to be moved in reference to denominational schools, he hoped the House would remember the words of the Act of last Session, and not overweight one class of schools as against another, but let them start fair and run an equal race.

MR. ASSHETON CROSS said, he would confine his remarks to the question of night schools, in reference to which he had placed a Notice on the Paper. He was perfectly willing to leave the whole matter in the hands of the Vice President of the Council, because he was sure that an expression of the general feeling of the House on the subject would have as much weight as a Division in its favour. There were 2,500 of these schools scattered about the country, and they were attended by between 90,000 and 100,000 pupils. An impression had been abroad in many places that there was not the same discipline in night schools as there was in day schools; and that, considering the length of time they had been established, and the amount of money that had been spent upon them, they had not accomplished as much good as might be expected of them. The observation was, to some extent, true. They could not be looked upon as part of the regular army of education; they must be regarded as a volunteer contingent; but they had, nevertheless, done good work. He was very far from saying that it would not be wise to enforce on the night schools more discipline than they had hitherto; but if the right hon. Gentleman (Mr. Forster) thought that by putting them—to continue the simile—under martial law, as was proposed by the New Code—he should improve them, he thought he was mistaken, and that the effect would be to extinguish them altogether in the rural districts. For instance, he thought it would be impossible for night schools in rural districts to be open 80 times in the year, which was the number of times set down in the Code as entitling the schools to receive grants. From the nature of the employment in which rural populations were engaged, and for other reasons incident to their mode of life, the children could only attend school during the 26 weeks of the late autumn and winter, and three times in each week was as often as the pupils could be expected to attend or the schoolmaster to teach—for it must be remembered that in country places there would be only one master to look after both day and night schools. Deducting from these 26 weeks three weeks for holydays at Christmas, there remained only 69 nights. For these reasons he had put upon the Paper his proposal that the night schools being open on 60 nights in the year should be entitled to a grant. The second point was the attendance of children at night schools. He was quite willing to admit that 24 attendances was too little to enable a child to get a grant; but to raise the attendances from 24 to 50 was a pressure which the schools would not bear. Many of the children had a mile or two to go after work was over, when they might be wet, tired, and hungry from their daily toil in the field, and going to school might involve a further walk of one or two miles. He had been requested by the hon. Member for Wednesbury (Mr. Brogden) to state that in the mining districts, where people worked alternately day and night, it would be absolutely impossible for them to attend the evening schools, and so get a grant. He also hoped the right hon. Gentleman would re-consider that provision in the Code which limited the age of persons who should be permitted to attend night schools to 18. Now that they were extending the advantages of education to all the youth of the country they ought, instead of diminishing, rather to increase the educational opportunities of adults who had not enjoyed the same advantages in their younger days. If this were not done, it would follow in many cases that parents would be put in the painful position of being unable to assist their children in prosecuting their studies. The Chancellor of the Exchequer might say they were for extending the payment of taxes; but his (Mr. Cross's) answer was, that it was false economy to grudge the money spent in educating those who wished to be educated. They had better spend the money in education than in gaols and lunatic asylums; and, in the long run, the taxpayers would find that the education money had been well laid out. He did not ask hon. Members to be generous—he only asked them to be just. He hoped that the right hon. Gentleman would give way on the subject of the night schools.

Dr. LYON PLAYFAIR: I am glad my hon. Friend the Member for Hastings (Mr. Kay-Shuttleworth) has given us an opportunity of discussing the Revised Code. On the second reading of the Scotch Education Bill, I took the opportunity of expressing my appreciation of its great advance upon preceding Codes. There is a characteristic feature in it which should not escape attention, because it happens to be an omission. I allude to the disappearance of the condition in Article 4 of the old Code, that grants were to be limited to the children of the manual labour class. This omission becomes a necessity when schools are supported by rates, for every ratepayer has a right to use the school for which he pays. Now, I know of nothing so important to education and to the social habits of the people as the abolition of this class distinction in relation to education. It has never existed in Scotch schools, and the consequence is that they contain all classes of the community. No English Members would venture to tell the House, as I am enabled to do with pride, and without a particle of humiliation, that my elementary education was obtained at a Scotch parish school — sitting side by side with the children of working men, and at the same time with the sons of the middle classes and gentlemen in the town in which I lived. This admixture of classes has the most admirable effect on the social condition of the people. It draws out the sympathy of class with class, improves the tone of the scholars, and elevates largely the standards of teaching. I congratulate my right hon. Friend the Vice President of the Council on having withdrawn that restriction to united education, and I venture to assure the House that no change in the Code will ultimately be productive of so much educational as well as social improvement. I wish that I could speak with equal approval of other omissions in the Code. It is with great regret that I see such little provision made for the promotion of music in our schools. Anyone with educational experience knows what a powerful adjunct singing is to the power of the teacher. It has a softening influence on the whole educational system, and tends to unite together the several divisions of the school, and to produce a harmony in the general work. I know the difficulties of admitting singing into the system of the Code. Payments are now based on individual examination, and the appraising a standard of singing is not easy in itself, and may not always be within the qualifications of every Inspector. But though there is a difficulty, it need not be insuperable, and may possibly be overcome by Inspectors of special subjects. Drill and physical training stand in the same position as to difficulty of individual appraisement; but they are highly desirable to encourage in all schools. The new Code does recognize them after a fashion, by allowing drill to count for attendance; but this need of encouragement is far below its importance as an educational agency. The hon. Member for Cambridge (Mr. R. Torrens) has already drawn the attention of the House to the importance of encouraging this branch of instruction as a means of teaching military discipline at a non-productive age, and thus adding to our defensive powers. I fully appreciate this line of argument, for we have the large experience of Switzerland and Germany in its favour, and we see Holland and various other countries imitating their example. But it is in relation to the effects of drill and gymnastics on the employments of civil life that the subject most commends itself to my mind. An urban school especially is made up of very discordant elements, which are difficult to unite in discipline and work for a common object. Nothing aids the master so much in his efforts at mental training as having prompt habits of obedience and harmonious working among his pupils. Drill gives these habits in far quicker time than the mere discipline of school classes. It is therefore a powerful educational means for the promotion of learning, as well as for the development and improvement of the physical condition of the pupils. Those who remember the former condition of Union schools, and their present state since drill has been introduced, will know what I mean. We have a set of Union boys of the lowest physical condition—ill-fed, and stunted in growth—who on the old system of instruction used to give a most unprofitable outcome. When their schooling was ended, more than one-half were returned on the funds of the Union as unprofitable servants — not worthy of being retained by the employers of labour. Now, Mr. Tuffnell, the Inspector of Union schools, tells us that the obedient, well-drilled boys of the best Union schools, taught to work together, and therefore to labour in unison with others, are in active demand by employers of labour, and that not more than 5 per cent, instead of 50 to 60 per cent, are returned as useless servants. I trust that the subject of physical training will receive more direct recognition in the Code than it has now obtained. It is a question of great importance to this country how we are to counteract the physical deterioration of the people incident to overcrowded urban populations. Taking away the children from their homes to keep them in crowded schoolrooms will not mitigate the evil. But a combination of physical with mental training will operate favourably and simultaneously on the development both of mind and body. Let me remind the Vice President that this object was contemplated in the original Minute of 1839 under these words—

> "Besides the physical training of the children in various employments, such exercises are to be introduced during the hours of recreation as will develop their strength and activity."

These wise words have been forgotten for a whole generation. The objections which have been brought against the rules for evening schools are partly valid, but partly invalid. Elementary evening schools for adults ought to have no existence at all in a well-educated country. In other nations such schools are chiefly improvement schools, and are devoted to secondary subjects, especially relating to those branches of science and art which bear on the occupations of the people. In another generation we may hope that mere elementary evening schools will disappear from the Code altogether, and be substituted by secondary improvement schools, to enable working people to apply that elementary education which they have got in the day school. But as the imperfect state of education among our population compels us to have these elementary evening schools as a temporary measure, let us consider how they may be made most effective. I agree with my hon. Friend the Member for Hastings (Mr. Kay-Shuttleworth) that it is a hard thing for a master who teaches in the day to teach —even though it is optional—in the evening, and that it would be better for the efficiency of both day and evening schools that they were taught by different masters. But how are you at present to obtain certificated masters for both systems? Now, it is with the utmost difficulty that you can obtain a supply for the demand coming upon you. That demand represents 15,000 new masters, besides that due to waste, which in itself is difficult to meet, and the supply is far from equal to our wants. But as Parliamentary grants can only be given to certificated masters, you must either be content with no evening schools, or you must allow day masters to serve for a term in evening schools. A separate staff for them in the form of peripatetic masters would be undesirable —at least to a great extent—unless you could absorb them rapidly into day schools; for these, if they fulfil their mission, will soon render elementary evening schools altogether unnecessary. But as long as they are requisite, I agree with the hon. Member for South-west Lancashire (Mr. A. Cross) that the attendances exacted are too great, and hope that the Vice President is prepared to modify this rule, 60 meetings and 40 attendances being sufficient in most districts, though a higher number might be attained in urban schools. The discussion this evening illustrates the inconvenience of which I have often complained in this House —that there is no proper connection between the Elementary Education Department and that for science and art. My right hon. Friend the Vice President of the Council has to ride two horses at one and the same time. But the feat is a difficult one from the tendency of the separate horses to diverge in their path. If there were a more thorough understanding between these educational Departments, the question as to evening schools would be susceptible of easy solution. It ought to be the aim of one Department gradually to lessen the elementary character of such schools, and to induce the other to convert them into improvement schools as quickly as the growing education of the country renders them unnecessary in their lower capacity. With this view, it is scarcely comprehensible why the Code does not extend the special subjects of higher instruction to evening as well as to day schools. This is the scheme followed in most of the Continental States, and accounts for the higher education in matters relating to science and art which you observe among the working classes of other countries. My hon. Friend the Member for Westminster (Mr. W. H. Smith) has an Amendment on the Paper to which too much importance cannot be attached. Our day schools are cumbered with entrants having no sort of similarity in their attainments. The master is therefore perplexed in his classification, and in the distribution of time, which he should devote to the lowest and to the highest subjects of school teaching. Children of five years of age should be able to step into the middle of Standard I at once, and ought not to waste the time of the master by obliging him to teach them the alphabet and pothooks. Infant schools for children of from three to five years of age may relieve the day school of all this drudgery, and give a great impulse to more thorough education during the legal ages, when attendance may be enforced. The Amendment proposed by my hon. Friend has this object in view, and I hope that his purpose—if not his words—will be adopted by the Government. The marked feature of the present Code is the admission into English schools of the specific subjects of higher instruction placed in Schedule 4 of the Code. The right hon. Gentleman the Member for the University of Oxford (Mr. G. Hardy) is, I think, right in pointing out that the Code does not at present give any surety that this provision will necessarily be taken much advantage of, for, as the maximum of 15*s*. can be won by the lower subjects and by attendances, what inducement is afforded for teaching the higher branches? Nevertheless, teaching them is of great importance. This is not an untried experiment. It has been the practice of Scotch schools for two centuries, and has been productive of the most admirable effects. The three R's are the tools of education, and these specific subjects are the means by which you show the children how to use these tools in the work of their future life. This gives a vitality to schools which invigorates every part of them. It removes the dismal verbalism which, like tares, chokes the growth of wheat, and substitutes conceptions for words. But it is necessary to prevent these higher subjects from displacing the lower ones. I think, therefore, that it is a wise provision in the Code that they should only be paid for in the case of pupils who have given ample evidence that they have acquired elementary instruction to the fullest extent that is available in the schools. There is much more in the Revised Code to which I would gladly have alluded; but I have said enough to indicate a general appreciation of the care and wisdom with which it has been revised on the present occasion, and to point out the direction in which improvements may be made upon it even now, and especially when we are again called in another year to consider its revision.

MR. DIXON expressed his approval of the more stringent conditions of the grants, but regretted that the New Code did not contain grants graduated in such a manner as to give the largest amount of support to the best schools, and a smaller amount to the inferior ones. At the present moment every good school could earn the very large grant which was to be allowed under the New Code, while there were many bad schools which were unable to do so; but hereafter the latter would in all probability be in a position to earn the full grant, and consequently the motive exciting to excellence would disappear. He quite concurred in the opinion that had been expressed on that point by the right hon. Member for the University of Oxford, and it had been confirmed since the commencement of the debate by a memorial emanating from a meeting of school managers that had been held at Birmingham, and which he had just received; the memorialists strongly urging that the mode in which the Code would operate would be to discourage the teaching of extra subjects, as the necessary limit could be attained without it. It pointed out, with perfect truth, that as the full grant would be earned by proficiency in the lower subjects, the stimulus to acquiring the higher ones would cease to exist. As an illustration of his argument he would take the case of a school now capable of containing 400 children. That school might, if well managed, have an average attendance of 400, and it would, under those circumstances, derive no advantage from the New Code. But in another school also capable of containing 400 children, in which the teaching was of an inferior description, and the average attendance only 300, the result under the Revised Code would be that, without any improvement whatsoever in the management of the school, or the merits of the teaching, it might get the full sum which the better schools only now received, because in all our large towns, and ultimately throughout the whole country, compulsory attendance would be established as a rule. Last year he had protested against the intention of the Government to increase the grants to denominational schools, and it was undeniable that the effect of the Bill had been much more denominational—not only than he himself but than anyone else had expected, including even the Vice President of the Council. In the agricultural districts—in fact everywhere, except in the large towns—there had been lately a great multiplication of voluntary schools in order to avoid the necessity for school boards. The Vice President of the Council had himself admitted that the applications for building grants were now ten times as great as the former average; while in one district—Leeds—it was reported that there would henceforth be no room for undenominational schools. There were throughout England thousands of voluntary and denominational schools of a very inferior description never visited by the Government Inspectors, and not receiving Government grants. Every one of these inferior schools ought to have become rate schools to be managed by the ratepayers. But the result of the Act of 1870 would be that these thousands of schools would remain denominational. The effect, then, of that Act might be stated to be greatly to increase the number of denominational schools, and especially of Church schools. The Nonconformist Body would discover that the Act had been the means of bringing into existence a large number of new Church schools supported by Government money, and there would be a growing disposition on the part of the Nonconformists to look upon this as a new species of religious endowment, with a disastrous result, moreover, from an educational point of view. There was good reason for saying that rate schools would be of a superior class to these voluntary schools. There were two reasons for thinking so. Rate schools would always have a sufficient amount of funds to keep them in a state of efficiency, and they would always be managed by representatives who would act under the control of public opinion and the constituent body. These elements would be wanting in the voluntary schools, and therefore, as a rule, they would be inferior schools. The Act of 1870 would have an unfortunate tendency to multiply and continue denominational schools, instead of making every new school a rate school, managed by the representatives of the public. There were three additions which he should like to see made to the Revised Code. The first and most important recognized the soundness of the principle that no grant should be given to the denominational school unless the subscribers to that school found one-sixth of the total cost. He did not think it was a right thing to allow irresponsible managers to have the control of funds almost entirely, and in some cases exclusively, provided by the fees of the children on the one hand, and the Government grant on the other. His right hon. Friend the Vice President of the Council stated last year the reason why he could not accept such a proposition—namely, that these schools were some of the best in the country, and that it was clear either that the parents had a good deal to do with the management, or that they had great confidence in the managers. To this he would reply that the success of a school depended mainly upon the teacher, and that if the schools referred to by his right hon. Friend had been all transferred to the school boards the teachers would have been continued and the schools have remained as good as before. There were, however, a great many schools under voluntary management that were receiving few or no subscriptions which were badly managed, and these more than counterbalanced the schools which, under similar circumstances, were well managed. When this system came to be carried out side by side with the rate schools there would be created a natural dissatisfaction at finding the voluntary denominational schools under the close and exclusive management of one or two individuals who might be honourable, high-minded, and much interested in education, but who would be likely to act in accordance with their own notions. That the taxpayers and the parents of the children attending the schools should be represented on the board of management, whenever the subscriptions and donations failed to reach 1*s*. 6*d*. of the cost of the school, was the opinion of the Prime Minister himself, as expressed in his speeches during the Education debates of last year. On the 16th of June, in the debate on going into Committee, Mr. Gladstone said—

> "It is said that the expense of educating a child in an efficient secular school is 30*s*., of which it may be said one-third is now provided by the Privy Council, one-third from voluntary sources, and one-third by payments from the children. We think that if to the third which is now dispensed the half of the second third were added, subject to the strict conditions which I have described with regard to secular education, the voluntary schools would have no reason to complain."—[3 *Hansard*, ccii. 280.]

Namely, to complain if left to provide one-sixth by subscriptions. Further on, in that same speech, the Prime Minister said—

> "The augmentation would be within a maximum of 50 per cent. It might not be so much; but taking it at about that amount, I think if our propositions be acceded to we may fairly require the promoters of voluntary schools to supply from their own resources and the pence of the children what, with the grant from the Exchequer, will enable them to perfectly well stand in competition with the rated schools."—[*Ibid*. 282.]

In the adjourned debate on the 24th of June he reiterated these opinions in the following words—

> "If, therefore, we do well in holding ourselves detached from the responsibility for the giving of religious instruction in voluntary schools, we shall likewise take care that, under no circumstances, shall the public grants be allowed so to operate as entirely to supply, together with school-pence, the sum necessary to support those schools, and that there shall always remain a void which must be filled up by free private contributions, and without which, failing other sources of assistance, those schools would no longer deserve the character of voluntary."—[*Ibid*. 938.]

Another point to which he wished to direct attention was that the amount of the grant should be diminished by the amount of any endowments received by elementary schools. There was a provision to that effect in the old Code, and he should like to know from his right hon. Friend the Vice President why it had been omitted from the New Code. In the year ending August, 1869, the Church of England schools received £38,710 in endowments; Roman Catholic schools £406, and the British and Foreign, and other schools, £4,368. By discontinuing the deduction of these endowments from the amount of annual grants the Government would be called upon to pay an extra sum, which might amount to nearly £40,000 yearly, without any reason having been assigned for these increased grants. The third addition was that, in some cases, the income of a school exceeded the actual cost of the school. Now, Government should have the power to demand that a deduction be made from the grant equivalent to the excess of the income over the cost. He held that if the managers gave a fair statement of their income and expenditure, and the legitimate expenditure was smaller than the total income, the difference should be deducted from the grant. That was a fair and just arrangement to which nobody could object. The last portion of the Motion applied to the three points he had just submitted; the first portion of it was the redemption of a pledge he had given last year to resist any increased grants to denominational schools. The hon. Member concluded by moving his Resolution.

MR. RICHARD seconded the Amendment.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that such alterations be made in the New Code of Regulations issued by the Committee of the Privy Council on Education, and now lying upon the Table of this House, as shall prevent any increased scale of Grants of Public Money to Denominational Schools:

That in Article 32, after Section (a) 1, there be added 'Three times the amount of such subscriptions alone:'

That in Article 32, after Section (a), there be added—

(b) The amount of any annual endowment;

(c) The excess of the income of the school for the year from all sources over its expenditure in that year,"

—(*Mr. Dixon*,)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

LORD ROBERT MONTAGU commenced by offering three suggestions to the Vice President, which he thought would conduce to the convenience of the House if they were followed. The first was, that whenever an important Minute was laid on the Table, the Vice President should make a statement in explanation of it. When he (Lord Robert Montagu) occupied the office which the Vice President now more worthily fills, he understood that this was the rule of the office, which had never been broken, as it had been this year. This would manifestly be more convenient to the House than to lay a Minute on the Table in silence; for not only would the Members themselves understand it at once, without waiting for the Minute to be printed, and issued, and conned over in private, but also their constituents would understand it the next morning, and could, without loss of time, communicate with their representatives. The New Code must become law in a month after the date on which it was laid on the Table. It was three weeks after that date; and yet only just then had Members begun to hear a little of the feelings of their constituents on the subject. It took a fortnight for a Parliamentary Paper to reach the mind of the nation, and another week before the response could, in the very least degree, be heard. He suggested therefore that, in future, a statement should always be made whenever an important Minute was laid upon the Table of the House. The second suggestion was, that the rule which was embodied in the New Code, and which had appeared in every previous Code, should be scrupulously followed. The rule enacted that whenever a new Code were issued, it should be printed so as to show the deviations which were made in it from the Code which happened to be then in force. It would be so manifestly for the convenience of the House for this rule to be strictly followed, that he needed not, at any greater length, to enlarge upon the subject. The third suggestion was, that the Government should provide some convenient time for the debate of an important Minute, before the time at which it became law. A New Code was suddenly thrown upon the Table, at 4 o'clock, before Members had assembled; it might, perhaps, be issued the next morning; but when Members, who were eager upon the subject, came down to the House, they found that the Order Book was filled with Notices of Motions for every "independent Members'" night, before the fatal day upon which the Code became law. What was the consequence? Those who desired to urge the Government to make alterations in the law, rushed tumultuously to the Order Book to put down Motions on going into Supply on Friday. There, next morning, appeared a string of Amendments for Addresses to the Crown on the subject of the Code. On the present occasion, the first was that of the hon. Member for Birmingham (Mr. Dixon). He alone was able to move his Amendment; all the others, by the rules of the House, were precluded; and their Notices of Motion served no other purpose than that of the short placards at elections — namely, to state succinctly the opinions of the various candidates. He passed to the Motion under the consideration of the House, and the speech of the hon. Member for Birmingham (Mr. Dixon) in moving it. The aim of both were the same — to abolish entirely all denominational schools. His speech was one continual wail—that the effect of the Bill of last year had been to make denominational schools crop up so that no room was left for his pet project of secular schools. He deplored the case of Leeds by name, because that there every corner was filled with denominational schools, and no space was left where he might plant a school which should exclude all religious teaching. It was very plain that the aim of the hon. Member, and of his party, was not to extend education, but to extend secular education only. Last year he (Lord Robert Montagu) had charged them with not desiring to educate the people, but with seeking only to keep from them every wholesome religious influence and instruction. His argument had been put aside and utterly rejected by the House. Yet now, in less than nine months, the child had come to the birth, and the party below the Gangway had revealed themselves in their true light—not as foster-nurses of education, but as the parents of national infidelity, and the excluders, as an illegitimate offspring, of religion from education. To what point was the Motion of the hon. Member directed in his eager desire to destroy denominational education? It was directed against the compromise of last year. It would be remembered by the House that the Prime Minister had proposed a compromise between the contending parties; he had accepted the Motion of the right hon. Member for Hampshire (Mr. Cowper-Temple) for the exclusion of religious teaching from rate-supported schools; and he had accepted the suggestion of the hon. Member for Birmingham (Mr. Dixon) that denominational schools should be cut off from all connection with the school boards, and should not be empowered to receive assistance out of the school rates. This had been the portion of the compromise which was conceded to the party below the Gangway; and it had been made hard and fast, safe and secure, by insertion in the Act of last year. The part of the compromise—and a very inadequate share it was—which had been conceded to the denominationalists, was that the maximum grants to all schools, both secular and denominational, should be increased 50 per cent. This part of the compromise had not been made safe by insertion in the Act of last year. Towards the end of June, he (Lord Robert Montagu) had moved in Committee on the Bill that this part of the compromise should also be inserted in the Bill. The Prime Minister, however, made so definite a promise that his right hon. Friend (Mr. Disraeli) recommended that the Amendment should not be pressed, on the ground that no better guarantee could be given than the word of the Prime Minister. What, then, was the gist of the Motion before the House? The hon. Member "protested against any increase in the grants to the denominational schools;" he would accept the increased grants for the secular schools, but he would deny them to the denominational schools. He was in the position of a person who, in a fit of generosity, had purchased an extravagant present for his wife on New Year's-day, and then grumbled when the bill was sent for payment at Christmas. Let the House, however, consider the new grants, and see whether the bargain of last year had been exceeded; and let the House consider the new restrictions which had been imposed, and see whether the grants were not harder to obtain. He would first take the attendance grants. These were formerly 4*s.* for every scholar in average attendance; they were now to be 6*s.* This showed an increase of 50 per cent. The grant for every infant in average attendance used to be 6*s.* 6*d.*; it was now 8*s.* This was an increase of three-thirteenths, or 23 per cent. A restriction had, however, been imposed; no infants under four years of age were, in future, to be counted. Of the children on the registers, 7·13 per cent, were infants under four years of age; while 31·17 per cent, were infants between four and seven years of age. The grant had, therefore, been decreased by five-fifteenths by this restriction, while it had been increased by three-thirteenths by the difference of grant. The difference was small. It must, moreover, be remembered that infants were not forbidden to go to school; the State merely refused to pay for infants under four years of age; the State would not give any inducement to the mother to relinquish her maternal duties, and send her children to be nursed by the State, while she went out to make money. [Mr. W. E. FORSTER: The grant for infants in separate infant schools is to be 10*s.*] He was quite aware of that. Of all scholars, 14 per cent were in separate infant schools; and of infants, 37 per cent were in separate infant schools. To this extent there would be a clear gain. He passed now to the examination grants. According to the former Code, the maximum grants on examination were 2*s.* 8*d.* a pass for three passes per child; and 1*s.* 4*d.* per pass for two passes in extra subjects, up to 120 passes, or £8. The total maximum grant on examinations in small schools, was, therefore, 9*s.* 4*d.* for each child which was presented; and in large schools the maximum was 8*s.* per child, with £8 added. The average maximum grant, under the Revised Code, might, therefore, be taken at 8*s.* 6*d.* per child presented for examination. Under the New Code the maximum grant was as follows:—Three passes at 4*s.* each, for every child presented; together with two passes in extra subjects at 3*s.* each for those children who had passed in standards above the fourth standard. The total grant was, however, in no case to exceed 15*s.* This was, therefore, the maximum, however excellent the school might be. This increase was 76 per cent. A great prize, certainly! But it was placed at the top of a very greasy pole; there were so many restrictions, that it would be hard for many schools to climb up to the maximum. He would enumerate these restrictions—First, under the Revised Code, any child might be presented who had attended 200 days; under the New Code he must have attended 250 days. Now, as the Return showed, which had been issued that morning, from 75 to 85 per cent of those children who were presented for examination—that is, who had attended 200 days — had also attended as much as 250 days. On an average, 80 per cent of the children who were presented for examination, had attended 250 days. This rule decreased the increase of grant, therefore, by 20 per cent; and the new grant was thereby rendered less than 61 per cent greater than the old grant. He did not complain of the rule; he thought it would tend to raise the tone of education. He was merely estimating the real increase of grant. The second restriction was contained in the rule which raised the whole scale of standards a peg. At present every 100 children who had made 200 attendances, and were examined, made, on an average, 225 passes. In future only 80 of these children would be presentable; and every 100 of those who would be examined would make about 200 passes. This rule, therefore, reduced the increase of grant to 40 per cent. The third restriction was the limit of the standards to ages. After March 31, 1873, no child above nine years of age could be presented in the New Standard I. (that was, the Old Standard II.). In 1874 no such child could be presented in the New Standard II. or Old Standard III. Now, in 1869-70, three quarters of the children who were examined under the Old Standard II. or New Standard I., were under 10 years of age, and one quarter of such children were above 10 years of age. The numbers were not given in the last Report for any other age. The exact numbers were 134,000 under 10, and 40,000 over 10. In the same year half of the children which had been presented in the Old Standard III., or New Standard II., were over 10 years of age, and half under 10. The exact numbers were 71,000 under 10, and 60,000 over 10. A serious reduction of grant—it would be difficult to estimate the amount with accuracy—would accrue from the operation of this rule. He did not approve of this rule; it was, doubtless, imposed in an endeavour to raise education throughout the kingdom; yet its effect would be, that if a boy was ignorant at nine years old he would be damned to ignorance for ever. There were other reductions of the grant which were of smaller moment. According to the Revised Code, a pupil-teacher must be kept for every 40 children after the first 50, under penalty of a fine of £10 in each case. By the New Code a pupil-teacher must be kept for every 40 children after the first 20, under a penalty of £20. The fine was doubled, and it was made to hit smaller schools. Formerly, a school of 90 children need not have a pupil-teacher. Now a village school of 60 children must have a pupil-teacher, besides the certificated master, and the woman who must teach the girls to sew. In such a school there would be 24 girls and 36 boys; the former would, of an afternoon, be busy sewing; and the 36 boys would be under the tuition of a master and a pupil-teacher. That, he thought, was unnecessary. Again, in the New Code there was a rule according to which the managers would be fined £10 for every pupil-teacher who failed in his examination; and yet the managers would have to pay him nevertheless. In the Bœotian districts of the country, you must choose one of the numerous boobies to be a pupil teacher. Are you then to fine the managers because he is not a Solon? Again, according to the Revised Code, grants were made to managers whenever a pupil-teacher finished his apprenticeship and entered a normal college, and also in the second year of his course at the college. These grants to the school were, at entrance, £10 if he entered in the first class, or £5 if in the second; and in the second year the grants were £8 or £5. These grants had been omitted from the New Code. He allowed that the compromise had been carried out in respect of the attendance grants, but not in regard to the examination grants. Yet that which had to be encouraged was not attendance, but proficiency in examination. There was also another kind of discouragement which had been given to denominational schools. The House was aware that these schools had been established, and were maintained to promote and teach that religion to which they belonged. How was this affected by the rules of the New Code?

Attendance was to be counted for those children only who had undergone two hours of purely secular instruction in the morning, and two hours in the afternoon. The school-roll was to be called over, and the registers to be written up, both morning and afternoon, before the secular instruction was commenced. In those two duties alone, five hours a-day would be consumed. At what time, then, was the religious instruction to be given? According to the New Code, the pupil-teachers were not to teach more than five hours a-day. When was the religious instruction then to be given? If the school-registers were to be kept open until after the religious instruction was over, a premium would be given to the children to shirk the religious instruction; if the registers were to be closed before the half-hour of religious instruction was begun then the managers would fine themselves by cutting off all the attendance grants of those children who arrived after the religious instruction had commenced. The Vice President had, however, answered the other day that the majority of schools met for two hours morning and afternoon. That was very true; but it must be remembered that an ecclesiastic had a right, under the Revised Code, to enter the school at any time and give religious instruction. That right had been taken away by the Act of last year. The same remarks applied also to evening schools. These schools should, no doubt, be "improvement schools," as the hon. and learned Member for Edinburgh University (Dr. Lyon Playfair) had said. Yet they must for many years be content with the work of keeping up the modicum of elementary learning which young men had acquired. When the tone of education throughout the country had been raised, then they might serve the higher purpose. But then he did not understand the reason for the rule of the New Code which denied all grants for extra subjects in the evening schools. Surely the learning of extra subjects should receive every possible encouragement if those schools were to become "improvement schools." Yet, on the other hand, the rules as to the examinations in the standards were imposed as if evening schools were to be merely elementary schools. What would be the effect of these rules? If a boy had passed all the standards by 12 years old, then he could no longer gain any examination grants for his evening school, and would be regarded by the master as a worthless subject. On the other hand, if a boy at 12 knew little or nothing, then also he could not gain, at any time, any examination grants for his evening school, and would be regarded by the master as not worthy to be taught. The evening schools were, in other ways, very hardly treated. Under the Revised Code they had to meet 40 times, and those scholars only were examined who had attended 24 times. Under the New Code, 80 meetings and 50 attendances were required. He asserted that it would be practically impossible to fulfil these conditions. Attendances, as is well-known, could not be secured before the middle of October, nor after the middle of March. Evening schools could meet only for five months in the year, or, omitting the Christmas holiday, for 19 weeks. Now the master had, under the New Code, to teach the pupil teachers for two hours three times a-week. There were, therefore, only 57 days on which the evening school could meet. The Return which had been issued that morning bore out his statement; for he observed that the great majority of evening schools met only 56 times. Add to this that there were weekly evening services, choir practice, and penny readings, to reduce the number of meetings, and it would be seen that such a rule as that contained in the New Code would shut up every evening school in the country. That would be baneful; as an evening school was, at least, a means for keeping young men and women out of mischief. If, instead of the rule that an hour and a half of purely secular instruction was to be given in them, a rule had been made to enforce two hours of instruction, of which half-an-hour was to be religious, they might be made a positive benefit to the nation.

Mr. MELLY congratulated his right hon. Friend on the satisfactory criticism passed upon his Revised Code by almost every hon. Gentleman who had spoken. He would, however, suggest to him, considering the advantage of night schools, whether it would not be possible to draw a line between such schools in rural districts and those in towns. It was his intention to oppose the Motion of the hon. Member for Birmingham (Mr. Dixon); but he trusted his hon. Friend would not divide the House. It was true that last year he (Mr. Melly) had opposed the making of any additional grant to denominational schools; but he confessed that during the year a very important change had occurred in the feeling of the country. School boards had been elected in hundreds of towns, and elected upon the denominational principle. They had seen members of the Church of England, of every political party, going together to secure what they believed to be a fair representation on the board; and they had seen the Wesleyans and other denominations standing together to attain the same object. The result was, that there had been elected a number of gentlemen, second to none in the kingdom in point of ability, energy, and zeal; and, on some boards, even where the majority of the electors were Nonconformists and working men, the rectors of the parishes had been elected unanimously as chairmen and vice-chairmen of boards. The elections were conducted on the principle of denominationalism, but almost every candidate declared himself to be in favour of religious, but unsectarian education. The principle of compulsion, also, had been almost unanimously adopted by the Boards; and he (Mr. Melly) believed it to be the only one under which the children could be properly educated. He hoped his hon. Friend would withdraw his Motion. The people of this country might not be very logical or very consistent in their opinions, but they were eminently practical, and he believed that the difficulties of the question, which were aimed at by the Motion, would gradually disappear in the working of the system. He congratulated his right hon. Friend on the success of the new measure, which had largely exceeded the anticipations of its friends, and in no single particular had that been more conspicuous than in the manner in which the principle of compulsion had been received throughout the country.

SIR HENRY SELWIN-IBBETSON said, he had not only taken great interest himself in the working of schools in the rural districts, but had been in communication with gentlemen largely interested in the working of those in the metropolis; and spoke their sentiments as well as his own when he said that there was almost perfect unanimity of opinion that the way in which the Council of Education had dealt with the raising of the standard with regard to boys' schools was very much to be praised; but he was certain there was an equally universal impression that a great mistake would be made if girls' schools were dealt with in the same way. The Committee of Council seemed to have forgotten that a very large portion of the time of the girls had to be devoted to needlework—time which, undoubtedly, was most usefully employed when their probable future condition in life was considered. But if that time was devoted to needlework they could hardly be expected to acquire the same amount of general knowledge as boys. With regard to night schools he wished to impress on the right hon. Gentleman the necessity of lowering the standard fixed by the New Code, if he did not wish to destroy these schools. If the standard was raised in the manner proposed, it would practically shut up a great number of the night schools in the rural districts. The tendency in the agricultural districts was to take children away from school for labour before they had acquired any large amount of sound knowledge. The night schools stepped in and assisted in maintaining what they had already acquired, or imparting more. He wished to urge that point specially on the attention of the Government, because he was certain that the tendency of the New Code, as regards night schools, as it now stood, would be to strike a great blow at education in the agricultural districts.

MR. COWPER-TEMPLE said, there had been such an unanimity in the suggestions made with respect to night schools, that he trusted his right hon. Friend the Vice President of the Council would defer to the wishes of the House, and would so alter the Code as to prevent the extinction—as he feared would be the case—of night schools in the rural districts. He attached much importance to these schools, and even if the periods of teaching were short the pupils might acquire habits of attention, discipline, and mental exertion; moreover, the disposition on the part of young men and young women to study when they were masters of their own time should be encouraged as much as possible; but the provisions of the Code, as at present drawn, would tend to diminish the attendance at such schools. The House, he believed, would be equally unanimous in its condemnation of the Motion of the hon. Member for Birmingham (Mr. Dixon), whose consistency, however, could not be questioned. The hon. Member last year proposed secular teaching, when he thought the public was with him; this year, when he has admitted that public opinion is against him, he still maintains his secularist theory. The contribution of the hon. Gentleman towards the solution of that difficult subject was one that he (Mr. Cowper-Temple) thought need not be accepted in any quarter with much gratitude, because it simply punished by fines and disabilities the schools he regarded as denominational. But why were the managers of denominational schools to be punished? Up to the present time they had been the only educators of the people, and had supplied all the primary education of the country. The hon. Member had expressed great dismay at the outburst of voluntary zeal in anticipation of this New Code; but in his (Mr. Cowper-Temple's) opinion it should rather be a cause for satisfaction to think that people had really strong feelings upon religious subjects, and were anxious their children should not be left without the Bible in their schools. Education had been given to the poor by charitable efforts; and the great services thus rendered ought not be disregarded and hindered. He feared the Code, by increasing the required number of attendances, by raising the standard, and by other modes, all tending to diminish the earnings, and by raising the age of infants, would prove injurious to the progress of education, especially in the rural districts.

Mr. W. H. SMITH said, he had a strong opinion on the necessity of continuing and keeping up the infant school system, and he was very much afraid it would be seriously affected by Article 25 of the New Code, by which children under four years of age were to be deprived of the grant. He had been informed by managers of these schools that no less than 20 per cent of the children's attendances in infant schools would be excluded by the proposed regulation. In effect, children under five years of age would be deprived of the grants, inasmuch as they must be four years of age before their attendances could be reckoned towards the required number of 250 to enable the Inspector to certify they were entitled to the grant. It would also have a most damaging effect on the education of the elder children, who would be detained at home to look after them. The promise of the right hon. Gentleman last year, that there should be an increased grant to the extent of 50 per cent had been broken so far as the infant schools were concerned. He hoped the right hon. Gentleman would give way to the representations that had been made, and allow the present regulations to stand, so far as infants were concerned. He ventured to say with regard to the arrangement that children between four and seven years of age should receive two hours' secular education, morning and afternoon, apart from religious instruction—it was a little too hard, and he thought a discretion in the matter might very wisely be left to the school managers. By the New Code it was proposed to give sums of money for attendance, and for passing examinations in reading, writing, and arithmetic, and for extra subjects, whereby a child might earn for the school some 24*s.*; but in no case was the total grant to exceed an average of 15*s.* per child. His attention had been called to the point by a very acute school manager, who proved conclusively that it was not necessary that more than 70 per cent of the children in average attendance should be presented for examination, and that the great danger was, that under the New Code the work would not be so perfectly done as by the present system. The slow, dull, and careless children would be neglected for the purpose of pushing on and getting larger grants for the intelligent and industrious children. It would, therefore, be better to adopt the suggestion of the hon. Member for Edinburgh University (Dr. Lyon Playfair). He (Mr. W. H. Smith) objected to one of the tests provided for children of 11 years of age—namely, that they should be capable of repeating correctly by heart 240 lines of poetry. He doubted if that were the best kind of test. The pupil-teachers of 16 or 17 years of age were not required to repeat correctly by heart more than 50 lines of poetry under similar circumstances.

Mr. WINTERBOTHAM said, he would congratulate the House on the tone the discussion had assumed. The discussion had not been a very venomous one for an education debate—though whether dulness had been equally avoided was more than an impartial observer might be able to say. Upon the general question raised by the hon. Member for Birmingham (Mr. Dixon) he had nothing to say, for he had not seen any reason to alter the opinion he expressed strongly last year, and, although his hon. Friend had thought it his duty to raise the question, he hoped he would not divide the House upon it. One isolated point had not been noticed in the debate, on which he desired to offer a few remarks—namely, that while a great advantage of this, in the main, very excellent Code was the distinct recognition of extra subjects—thus raising the standard of primary education throughout the country—one of the most important of these extras was not only ignored, but positively excluded—namely, music. As to drawing, he said nothing, because that was taught by the Science and Art Department; but as to music, although great progress had been made in spreading the means of teaching that art in primary schools, the Vice-President had struck out the subject, and the result would be that although its teaching was not absolutely forbidden, yet attention would first be given to those subjects for which grants were paid. He appealed to the House whether children had not better spend their time in learning vocal music than in studying political economy—although he had nothing to say against political economy, which was a very interesting subject to the cultivated mind of a man in rude health? A knowledge of Lord Overstone's tracts on the *Bank Acts*, or of the First Lord of the Admiralty's work *On the Theory of Foreign Exchanges*, or of any other branch of political economy, would be very dearly acquired if the teaching of music were sacrificed. He would remind the House that all educationists from Plato to Gœthe had insisted on the importance of teaching music, and hon. Members, who reverenced patristic authority, might remember that St. Augustine was a music master, and had written six learned, though rather unintelligible books upon the subject. He suspected that the Vice President was not a musician—for which he was sorry, though that, perhaps, accounted for many of his aberrations on this subject. Let the right hon. Gentleman remember Shakspeare's denunciation of "the man who hath no music in his soul," and beware his doom—"Let no such man be trusted." What was the effect produced by the study of music? It taught order, attention, and quickness; it practised the memory; and, above all, was the only study that really cultivated the imagination of which untutored minds were capable. It was to them what all art and literature were to us. Hon. Members were now seeking to benefit the poorer classes, and though they could not make all rich, they thought they could make them wise. But to teach them music was to make them happy, and any man who knew anything of music, and enjoyed it, knew how capable of learning it were the great majority of children, and how much the faculty became deadened by neglect. It afforded a great deal of amusement not only to the children themselves, but to their friends. It was like putting a singing bird in every cottage. He had himself had the misfortune—as some persons esteemed it—to be educated at one of those middle-class schools, which were looked down upon by Inspectors who did not understand them, because they had been educated under a different system, and he, in common with three-fourths of a school of 80 or 100 boys, learnt music. Those who had kept it up in after-life knew well that it was an intense delight and led them sometimes even to resist the fascinations of coming down to that House. He therefore asked his right hon. Friend to give his serious attention to this as a practical matter. He knew it would be objected—and he was ashamed of the answer—that the Inspectors did not know anything about music. So much the worse for the Inspectors, and to require them to learn music would be doing good both to them and their families. There was, however, a means of obtaining qualified examiners, for as the Vice President proposed to appoint some Assistant Inspectors, it might be possible to require from an adequate number of them some knowledge of music. The music that he desired should be taught was not that of those howling young savages the charity children in St. Paul's, but a practical system of notation such as could be easily acquired by any intelligent child. It would be a lasting disgrace—at least it would be a disgrace as long as it lasted —if music were put under a cloud, simply because Inspectors could not be found who were able to examine in that subject. Let hon. Members remember what was done in other countries. In America great stress was laid on the teaching of music; there was a saying, in fact, that there was no primary school without its grand piano. The right hon. Gentleman was proud of the education measure, and wished his name to be associated with it. Let not his name then be handed down to posterity as that of an uncouth barbarian, who refused to allow children to be taught music.

Mr. STEPHEN CAVE pointed out that, as the Code now stood, there was no provision for a supply of teachers for infant schools. That was a point of great importance, to which he begged to direct the attention of the right hon. Gentleman. His own experience was that girls between the ages of 17 and 21 years were the best instructors for the purpose, and by a modification of the 59th Article he thought that the object might be attained. There would be a great demand for schoolmistresses, which would increase the difficulty. Pupil-teachers who had been five years in training seldom liked to take such situations, and he thought that an Article similar to the 59th, with alterations in the requirements of age, and years of teaching in the school, would effect the object. He was very anxious about this, as he knew by experience what a humanizing effect infant schools had among the children of country parishes.

Mr. W. E. FORSTER: I feel myself to be under a considerable difficulty at this moment. I am not only, as has been suggested by the hon. Member for Edinburgh and St. Andrews Universities (Dr. Lyon Playfair), in the position of a man who has to drive two horses at once, but I feel that I have three distinct things to do together. In the first place, it is due to the House that I should take this opportunity of explaining the provisions of the New Code. I also feel it right to notice the different objections that have been taken to it in the course of this most practical and useful debate. Lastly, I have to defend myself against the charge of being an uncouth barbarian. No doubt the noble Lord opposite (Lord Robert Montagu) may think that I have brought this difficulty on myself, because I ought to have given an early explanation of the New Code. I should have been glad to have done so, but when my right hon. Friend the Secretary of State for the Home Department, when in my position, tried to do so, he found that it would hardly be within the rules of the House for him to proceed. A mode might perhaps have been found of overcoming this difficulty; but still the other difficulty remained, with which Parliament is constantly pressed — that of providing time for all the important subjects with which it has to deal. And on this head I wish to make an appeal to right hon. Gentlemen opposite, and that is, if they can do so with propriety, to allow the New Code to come into operation at the end of the month, and not to require a longer time for its consideration. It will be within the power of this House and of Parliament at any time during the Session to agree to any Address to the Throne upon the subject which they may think proper, and the Government would feel bound to pay every attention to it; but the reason why I press the House not to delay the operation of the New Code is because we have a most arduous and difficult work before us in ascertaining and remedying the educational deficiencies of the country, and in keeping pace with what I am happy to say is the great demand that the country is making on us to give the widest possible effect to the Act of last year. It is almost impossible for us to get to work on the task of going through the whole country to decide what parishes should be grouped together, and where educational deficiency exists, until the New Code is settled. In framing the New Code we had three duties to perform: first, we had to carry out the principles of the Education Act; secondly, to carry out the pledges given by the Prime Minister and by myself that there should be a considerable increase in the assistance to the inspected schools out of the Parliamentary grant; an increase that was not to exceed 50 per cent, but which it was naturally and justifiably supposed would not fall much below it; and, thirdly, we had to consider what improvements we could make in the Code, in which we must necessarily be guided by our experience of the past working of the system, and the consequences of the new position which education was assuming in this country. The House will bear me witness that, in stating the additional assistance we contemplated giving, I always accompanied my observations with the distinct condition that this should be consistent with any changes the Government might think fit to introduce for carrying into effect a more efficient and economical system of education. My first thought was efficiency, and after that economy. The first change that we considered made necessary by the passing of the Education Act was the omission of Article 4 of the Code, which confined the Parliamentary grants to the children of parents engaged in manual labour. This was necessary, because it would have been obviously most unreasonable to expect the small shopkeepers and ratepayers of towns to pay for the education of the children of artizans, from the benefit of which their own children were excluded. But I must say that, apart from that consideration, I was very glad of the change, and for this reason—that I see no reason—but, on the contrary, a great objection—to singling out the class engaged in manual labour, and saying that they specially should obtain the assistance of Parliamentary grants. A very large proportion of that class are perhaps in indigent circumstances, but many are very well off for their station in life; and it is a bad political principle to recognize that they have a special claim on the funds of the country — a principle which I believe they would themselves disavow. Indeed —and we are glad to know it to be the fact, many of those who are engaged in manual labour are in the receipt of wages which place them in a position that makes them perfectly well able to hold their own alongside of any class, and they are better off than many persons not engaged in manual labour who belong to the class of small shopkeepers, and even than many professional men. Therefore, we have taken the definition in the Act that it shall be—

> "A school in which elementary education is the object of instruction, and where the ordinary payment for scholars does not exceed 9*d*. a-week."

Our next change was the striking out of Article 6 of the former Code, which said that no aid was to be given to any children who were in boarding schools, or anywhere but in day schools. That provision interpreted literally would have prevented aid being given to ragged schools, or to schools in which the managers took charge of the children during the dinner hour. That was so manifestly unjust that I do not think it was ever carried out; but we saw no reason why children in the elementary schools should not receive their share of the Parliamentary grant, simply because they were taken care of by charitable persons during the day, or even during the night. The change that has been made by the omission of this article will extend to training ships, in which the hon. Member for Liverpool and the hon. Member for Hull take so deep an interest. The next change is as follows:—We decided last year that while nothing should be done to discourage religious instruction, yet that provision should be made for aid to purely secular schools, and that the Parliamentary grant should not be confined to those schools which are under denominational management, or in which the Bible is read. It is now, therefore, proposed that in future secular schools shall be admitted to the benefit of the grant. Now I come to the provisions to which objection has been made by some Members this evening, as to the minimum of secular instruction which the Government have deemed it necessary should be established. Under the Revised Code—I call the system of last year the Revised Code, and I call this the New Code—an "attendance" was reckoned as two hours of any school instruction. By the New Code it is required that an "attendance" should be two hours instruction on secular subjects. Many objections have been made on this point, and it is said that this will prove an inconvenient arrangement—especially as regards the afternoon—for the management of the school. I will give shortly the reasons why we do not think it will be found inconvenient. Last year I had the time-tables of a large number of schools examined before I brought in the time-table clause. This year I have looked back to them again, and I find the result to be that out of the first 75 cases there are only 11 which do not meet for more than two hours in the afternoon. When I see that a large proportion of schools meet for more than two hours, I cannot think there is inconvenience in schools meeting for this time, and I will endeavour to show why, on principle, this arrangement ought to be adhered to. I should like to appeal to any Member who objects to this provision to consider that the great test of the Act of last year will be how far it will bear the principle and practice of compulsion. For my own part, I have no doubt whatever that direct compulsion will soon be the rule throughout the country. I have not been at all surprised at seeing one large town after another adopting the principle of compulsion, for I felt sure from the first that that would be the case. Liverpool and London have both adopted this principle, and with other large towns it is only a question of time. It may be taken for granted, therefore, that this principle will be extensively applied in the course of a year or two, and when it is not voluntarily adopted, Parliament may at the expiration of that period be willing to sanction it. Therefore, I say it is most important that all schools deriving aid from the Parliamentary grant should be able to bear the application of this principle. Assuredly voluntary schools will suffer greatly—I think, indeed, they can hardly stand—unless it be possible to apply compulsion to them; and this will not be possible, unless means are taken to secure efficient and sufficient secular teaching. Unless this secular instruction is given for at least four hours daily—for two hours at each meeting—we could hardly compel the children to attend. Some of my hon. Friends are of opinion that it will be difficult to apply any compulsion whatever to voluntary schools, because of their denominational character; but I would remind them that it would be quite as difficult to apply it to undenominational schools, for a vast number of parents would object to being forced to send their children to schools in which there was no possibility of religious instruction. It is a difficulty that will be felt on both sides. Then it has been suggested that the afternoon attendance might be made shorter if a longer space of time were devoted to instruction in the morning; but the objection to this proposal is that it would wholly interfere with the half-time system, which is daily coming more into vogue. My hon. Friend the Member for Westminster (Mr. W. H. Smith) has remarked that an attendance of two hours was too long for infant schools. The Department would not, however, think of preventing a portion of that time being set apart for play or pleasant exercises, as far as infant schools were concerned, if it were necessary to prevent the children being overweighed by work. The next proposal which the Government have thought it necessary to make has hardly been alluded to by any speaker to-night—namely, the provision for meeting an increased demand for schoolmasters and schoolmistresses. Undoubtedly there will be a great demand for masters, and though I have always thought we shall be able to obtain more from the training colleges than some hon. Members have anticipated; still, I certainly thought we ought to take all the means in our power for enlisting in our service every good master in the country; at the same time, we thought it most desirable not to give up the principle of certificates. I do not wish, at present, to re-open the question of certificates, and therefore I will only say that, however much we may rely on special examinations for results, they do not constitute by themselves a sufficient guarantee for efficient education and economical expenditure of the public money. The Department, being of this opinion, and yet having to meet this special demand, have made two changes. In the first place, they allow, for three years, certificates to be given without examination to certain masters. Everyone is aware that there are many efficient masters of mature age in schools which, because of the conscientious feelings of the managers, or from some other cause, have not received the Government grant. These masters would find themselves uncertificated, and would have to submit to an examination which, in spite of their acknowledged efficiency, they might have some difficulty in passing. Now, as the Government are desirous of not losing the services of such men—which would be a very hard thing for them, and very inconvenient for us—an arrangement has been made, under Section 59, by which such masters and mistresses will be furnished with a certificate without passing an examination, provided that they are above 35 years old, that they have been teachers for 10 years at least, that they can produce a certificate of good character, and that the Inspectors who have visited their schools report them to be efficient teachers. As regards younger teachers, another change has been introduced. Under the Revised Code, any man or woman above the age of 22, in any school of which the Inspector gave two favourable reports, might present themselves to the examiners of the training colleges, and obtain a certificate without passing through the training schools. The change we have made works in this way. The age at which candidates may be examined for certificates is reduced from 22 to 21, and reports are to be required from an Inspector upon one examination instead of two examinations of the school in which a candidate has been engaged. I must now allude to the Motion of my hon. Friend the Member for Birmingham (Mr. Dixon). The passing of the Act of last year obliges us to show perfect impartiality between rate schools and voluntary schools. In that we have no option, because the 97th clause of the Act says that the conditions of any Minute, such as that we have laid upon the Table,

> "Shall not give any preference or advantage to any school on the ground that it is or is not provided by a school board."

I must remind my hon. Friend the Member for Birmingham (Mr. Dixon) of the existence of that clause in the Act, because his Motion is contrary to the principle of this clause, which we have honestly endeavoured to carry out. I am convinced that it was a right principle; and it is, indeed, in accordance with my statement when I first brought in the Bill—that we were to have compulsory provision where it was needed, and not unless it was needed. These, then, are the changes which we have found necessary to make on account of the passing of the Education Act. I come now to the second and third duties we have had to perform—those of giving an increased grant and improving the conditions of earning it. I stated last year that I would accompany the increase of grant with such a stimulus to educational activity as we could give. The House must judge whether we have carried out that promise. If we have not, it is not from want of earnest endeavour to do so. I will point out the improvements we have made; first mentioning one which has not been alluded to to-night. It is that we have taken away that restriction of the Revised Code which prevented visits of Inspectors by surprise. We still arrange that the grant shall be given upon a yearly inspection, of which the managers shall be warned. We could not, in common fairness, conduct the examination in any other manner. We have, however, taken power by Article 12 that the Inspector shall visit at any accidental time, and this arrangement we are enabled to make in consequence of the better organization of district inspection. I think that arrangement is most advisable to secure the general efficiency of the schools, and also to ensure the honest carrying out of the conscience clause. The next point has reference to attendance. It was incumbent upon us to make the change which has been discussed. I believe the time has come when we could safely raise the attendance of the individual children necessary to obtain an examination from 200 to 250. I think I need not dwell upon that, because the House seems to have accepted our alteration. Then there is a special arrangement, which has hardly been noticed, with regard to the half-time schools. A good deal of objection has been taken to it, especially out of the House. Having raised the attendance at day schools from 200 to 250, we have raised the attendance at half-time schools from 100 to 150, because we found they were obtaining more than their share; because they are conducted upon the most rigid principle of compulsion. In my mill school I earn for my children by their examination and attendance more than 15*s.* per head. No doubt that is partly owing to the sharpness of the Yorkshire child, and partly also to the circumstance that I have good masters; but it is mainly owing to the fact that I can secure the attendance of the children by the strongest compulsion. Their parents, from their absence from school, lose the wage for their work, and that is a greater fine than my hon. Friend the Member for Brighton (Mr. Fawcett) will be able to establish by direct compulsion. As these schools were obtaining more than their share, we felt justified in requiring a higher attendance; but I shall carefully look at the other half-time Acts, and see how they apply. In answer to the right hon. Member for Oxford University (Mr. G. Hardy), I have to say that I should define rural districts as districts in which the parents were engaged in agricultural employment; and if this should apply to small towns in rural districts, I think it ought to do so. We have made an exception for boys above ten in these districts by reducing the attendances to 150, because we hope, as soon as we can find time, to devise the means to establish the principle of working and schooling together for children in agricultural parishes. In the meantime, several landowners and farmers have applied the principle upon their own estates, and we have introduced this regulation for their assistance. The hon. Member for Scarborough (Mr. Dent) asked why we confined the exception to rural districts; the answer is, that we do not see clearly how to apply it to other cases. But all these arrangements in the New Code must be subject to the information we obtain both as to its working and as to the working of the Act. Now I come to the infants, who have been so paternally cared for by the House. I think every hon. Member who has spoken about these infants will admit that something ought to be done, because in many cases the infant school is turned into a mere *crêche*, and is merely an excuse for allowing mothers to neglect their duties. We have raised the grant for average attendance from 4*s.* to 6*s.*; and 14*s.* or 16*s.* a-year would be a good deal for the State to pay for relieving a mother from taking care of a child. By the Code of last year there was no condition as to the age of the child. We certainly did give directions to Inspectors to cast out babies when they could do so; but a good many babies passed, and it was necessary to take some action in the matter, as we have done in these clauses. We have declared by Article 19 (b) that no infant is to be paid for if not four years of age on the day of inspection. We have said also by Article 25 that no attendance is to be allowed for until the child is four. On the day of inspection the child must be more than four, and from the day that it reached that age it would have swelled the average of attendance, and therefore to some extent have been paid for; but it could not obtain the special grant of 8*s.* or 10*s.*, because it would not have made up the 250 attendances. Upon reconsidering the matter we have arrived at the conclusion that there is a good deal of educational advantage to be gained between three and four. We find it absolutely necessary to keep up the restriction that the child must be four on the day of inspection; but we intend to alter Article 25 by inserting the word "three" instead of "four," which will allow attendances to be taken into account before the child is four years of age. We have increased the age at which children are to be reckoned infants from six years to seven; and the reasons are two-fold—we think that it will be better for the children, and that it is not worth while to have highly-trained Inspectors to examine individually children under seven years old. Now as to the change in the standards. We have made an alteration by which we have struck out Standard I in the Old Code. It was placed exceedingly low in the Old Code, and we think that amount of learning should be obtained by children before coming to school at all, or acquired in the infant school. Our Standards I. II. III. IV. and V. in the New Code very nearly correspond with the Standards II. III. IV. V. and VI. in the Old Code; but still there is a difference between them. The Old Standards III. IV. and V. require that the book in which children should be examined in reading should be one used in school. The ingenuity of man is great; but I should have hardly thought it possible that schoolmasters would have crammed children in reading. But they have done it when reading from a book used in school, so that which seemed to be reading was not reading; and therefore we do not now allow the examination in these standards to be confined to a book used in a school. Then we have introduced a New Standard VI. by which it is attempted to secure a higher class of education, inasmuch as under it children are required to write a theme, or letter, or paraphrase. This does not seem to be a great matter; but it is something to look forward to an examination that implies an original letter or theme. The hon. Member for Westminster (Mr. W. H. Smith) appeared shocked to think that children of the 4th Standard should learn so many things by heart; but if he will come to see me in the holidays I will show him children who will do it, and will also make pretty pithy Yorkshire allusions to what they have been reading. The right hon. Gentleman opposite (Mr. G. Hardy) has complained that the female pupil-teachers are required to pass a lower standard than that which the males are required to pass; whereas the girls in schools are examined in the same standard as the boys. The right hon. Gentleman should, however, recollect that the schools are mixed schools, having the same teaching for both sexes; whereas the curriculum in the male and female training colleges is different. In any further alteration to be made in the standard in schools, however, I hope that that for the boys will be raised instead of that for the girls being lowered. Hon. Members have asked why it is not allowed that a leap should be made in the standards? As soon as it is thought safe to encourage schoolmasters to drive their children on and so to skip a standard, the Department will only be too glad to be able to hold out this stimulus to them; but at present it is thought that it might be dangerous to incite masters to push on clever children to the neglect of the others. Therefore, for the present, at all events, no alteration of this description will be made in the Code. The hon. Member (Mr. Kay-Shuttleworth), in the most excellent speech with which he opened the debate, and which showed that he inherits his father's educational knowledge, made one remark which astonished me, and which I cannot help thinking he will hear about from his father to-morrow. He asked me why we should not allow children who failed in one standard to come up for examination in the same standard the following year? The reason is simply that, if such a thing were allowed, there would be an immediate lowering of the standard throughout the country, and we should get almost no progress at all. But we do give some inducement to push children forward. We give this inducement—that we make grants for special objects only possible to children who have passed in the three upper standards. As to the alteration in special subjects, the Revised Code afforded a capital educational training for masters and managers who understood it; but I was not surprised yesterday to find a gentleman much engaged in education who said he had no idea as to what the old regulations as to special subjects were. There were two ways in which special subjects were paid for; either the child must, after having got through all the six standards, pass in certain special subjects, and earn the 8*s*., or there was an encouragement to the school that taught special subjects. It was in this form, that there was 1*s*. 4*d*. per pass in reading, writing, and ciphering, which was given to masters who fulfilled certain conditions as to pupil-teachers and passes. After all these conditions were fulfilled the grant was stopped when it reached 120 children. We have replaced all these complicated conditions by this arrangement—that there shall be a certain number of special subjects for the examination of children, and they shall be allowed to pass in not more than two. The child upon passing the examination will earn the payment. As to music, there are two ways in which music has been encouraged hitherto—the one way being really efficient, and the other merely nominal. It has been encouraged in a very efficient manner by music and singing being taught in the school in classes, the time so occupied being allowed to count as time occupied in instruction. The result has been that in a vast number of schools there have been musical classes; but out of 4,423 schools that sent up children last year to be examined in special subjects, only 43 sent up children for examination in music. With regard to the question of teaching music as a special subject, I think it would be impossible to effect it at present. To make the examination effective it must be real; and for the present, at least, we have difficulty in finding among our Inspectors the necessary qualification. Their education had been shaped in accordance with the education of the upper and middle classes generally, and of nine-tenths of the Gentlemen who are listening to me at the present moment. If I were in the position of a schoolmaster, and was entitled to ask all those hon. Gentlemen who understood music to hold up their hands, I am afraid very few hands would be held up. It may be said—"You can make it a condition with Inspectors;" but you cannot make it a condition with Inspectors this year—it is impossible. You cannot easily find gentlemen who have all the qualifications you require. A suggestion has been made to have the examination conducted by means of examination papers, and to have the papers sent up to London to be examined. I know that that has been done in the training schools, but I do not think it would be wise to apply it to the elementary schools. It is not merely ignorant people like myself who hold the opinion that such an examination as I am now referring to is not satisfactory; in the Report of last year, I find it stated that Mr. Hullah acknowledges that this plan has not come up to his expectations. We think it necessary to make the examination a reality, and not have it conducted by examiners who do not know what they are examining in. It would be a very bad precedent to have Inspectors examining in what they did not understand; and hence for this year we must strike music out of the list of special subjects. I am quite convinced of the immense advantage which it gives to the children—perhaps more advantage to them than even it does to our own class; and I assure my noble Friend (Lord Robert Montagu) that I will do my very best to encourage it in every school. I am not sure that it would not, after all, be better to make music a matter for general instruction in all schools, if we do not strike it out altogether from the list of subjects, as we have done with drawing, and leave it to be attended to by the Science and Art Department. Passing now to another branch of the subject—the evening schools—I do not deny their advantage, though I think their importance, as purely educational institutions, has been somewhat overrated in the debate of this evening. The hon. Member for Hastings (Mr. Kay-Shuttleworth) says there are three objects which should be kept in view in connection with these schools—first, that they might supply the place of day schools, giving the means of acquiring reading and writing to those boys whose education has been neglected; second, keeping up elementary knowledge obtained at the day school; and third, furnishing the means by which higher knowledge may be obtained. But what great educational good can you expect or hope to obtain from schools which are only required to be open 40 nights in the year, and at which the attendance of a boy or girl is required not more than 24 times? Nevertheless, the grant has been made —2*s.* 6*d.* for average attendance, and 5*s.* for examination; and it is a very large sum to pay for 24 nights. I think we are relying on something which will mislead us when we think that, by establishing such evening schools, we have supplied the want. I do not deny that they are good institutions, and I will on no account give them up—not so much on account of the actual learning acquired at them, as on account of the fact of their reaching and influencing the young people at a time when influence is most useful. But looking to the large sums of money we have expended, and are expending, on them—and we now propose to increase the grant by 50 per cent—the conditions must be made more stringent. I come now to the terms of the Amendment of the hon. Member for South-west Lancashire (Mr. A. Cross), and I will take its last term first—that we should take away the restriction to the age of 18. I cannot hold out any hope that Government will accept that portion of the Amendment. This grant is for young people, not for adults. The men who are making up the deficiencies of their education ought to be kept separate from the boys who come from the day school. The hon. Member does not suppose that the mere fact of their being paid for would make the difference, for if they desired education, and were willing to undertake the labour necessary for acquiring it, they would be both able and willing to pay the small sum necessary for the purpose. But it had been said, why not help them? I do not think we should give Government money to try to coax these persons to learn to read and write. As to the other parts of the Amendment, by the Bill of the late Government night schools were admitted which were not connected with day schools, but these schools were to be kept open 100 times, and the special attendances were to be 60 —10 more than my 50. I really see no reason why the advantages to night schools connected with day schools should be more than to schools not connected with day schools. We therefore propose to place all night schools on the same footing. We have also thought it desirable to make the examination a reality, and to get rid of the abuse of a boy or a girl leaving a day school and being allowed to earn money in a lower or even the same standard in a night school. Upon consideration, however, the Government have decided to adopt for one year the proposition of my hon. Friend that the number of nights on which the night schools shall be open shall be 60, and that the number of attendances shall be 40. At the beginning of next year, however, there will be an opportunity of reconsidering that question, and I think practical men will see the advantage of making the respective requirements 80 and 50 for the following years. There is one change suggested by the hon. Member for Hastings that I have not been able to carry out, and that is some plan of paying pensions to schoolmasters. That subject has not been omitted for any want of careful—nay, I might almost say of painful—attention. I think the teachers in schools are to be sympathized with in their desire for a provision for their age. Their labour is very hard, and it unfits them for other employment. I trust, however, that the result of the increase of schools, and of the greater attention now paid to education in the country, will be to make the position of teachers more respected, and to increase their pay, so that they may be able to make some provision for themselves. The Government made it a principle of the Revised Code to give up the direct connection between the State and the teachers. If we had not broken that connection it would have become closer as years went on, and would have resulted in an army of civil servants of from 20,000 to 40,000 in number. We cannot, therefore, consider any superannuation plan, which would imply any direct connection between the Government and the teachers; and, indeed, we think it a matter which primarily concerns the employers of the teachers—namely, the managers of the schools. If any pecuniary aid is asked from the Government, we can only entertain the proposal on the understanding that this aid shall be a reduction in the large increase now made in the grants. However, we will be happy to give our best consideration to any scheme which may be submitted to us by the managers. Hon. Gentlemen have found fault with what they think were in some instances heavy conditions as applied to the managers. The average attendance grant is increased from 4*s*. to 6*s*., and the examination grant from 8*s*. to 12*s*; the allowance for each of the three elements from 2*s*. 8*d*. to 4*s*. The evening schools examination grant is increased from 5*s*. to 7*s*. 6*d*.; the average attendance from from 2*s*. 6*d*. to 4*s*. By the Act of Parliament we were bound to take care that the Parliamentary grant did not exceed the whole income of the school from other sources. What we have done in the New Code is, that the Parliamentary grant is not to exceed the amount of the school fees and the subscriptions. The hon. Member for Birmingham (Mr. Dixon) proposes by his Amendment that there shall be no increased scale of grants to denominational schools. I cannot think my hon. Friend will put the House to the trouble of dividing on that Motion, for by the 97th clause of the Education Act we are compelled to give no advantage to schools supported by the rates over the voluntary schools. It has been asked by several hon. Members—"Why do you keep the 15*s*. reduction?" and there is a notion in their minds that we take back with one hand what we give with the other. But that chiefly arises from a misunderstanding of the term "average attendance." We say the grant shall not exceed 15*s*. on the average attendance. The average attendance is arrived at by dividing all the attendances of all the scholars throughout the year by the number of days. Hon. Members will see at once that the children attending 250 days are no guide at all to the number of average attendances; for in the calculation of the average attendances are included all those children who left school before the inspection, all those who came too late for the 250 days, and those who by accident were not present on the day of inspection. It is a mistake to suppose that many of the schools will suffer from this reduction. I believe it will be a very rare thing indeed; and, if it is not, it will be a warning to us that we ought to make the examination more strict. Hon. Gentlemen may think that rather hard; but we do not think we ought to allow the principle that the State will pay more than half what we suppose the elementary education ought to cost. If we paid more we might be paying for the education generally of the lower middle class. But if we find out, owing to the greater demand for masters, that the cost of education increases, we may fairly raise the maximum above 15*s*. Let me now briefly state what we expect from the Education Act, assisted by this New Code. We have great hope that good, efficient secular instruction will be secured; that a better attendance will be attained; that the wants of the more needy districts, both rural and in towns, will be met by the increased grants; that there will be more efficiency in teaching; and that there will be higher teaching. The country has already responded to the Act in a very satisfactory manner. Ninety-three boroughs, with a population of 4,968,000, have anticipated the action of the Act; the estimated population of all the boroughs of the kingdom being under 6,500,000. Including London, there is a total town population of more than 8,000,000 who have come under the school boards. There are also 74 parishes, or small towns, with a population of 680,000, which have also come under the operation of the Act; and though our regulations for parishes were only issued about five weeks ago, we are issuing orders for districts not in towns at the rate of 15 a-week. There has been a stir in almost every town and every parish, for the school-board districts are electing their best men. Nor can I say that I in any way regret the numerous applications that have been made from all parts of the country to prevent the levy of a rate. I am glad to have found out a mode by which the dislike to rates, especially in the rural districts, has been made the means of assisting educational progress. I will now conclude by thanking the House for the patience and attention with which they have listened to me.

Question put.

The House *divided*:—Ayes 231; Noes 64: Majority 167.

Main Question, "That Mr. Speaker do now leave the Chair," by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

MARRIAGE WITH A DECEASED WIFE'S SISTER BILL—[BILL 2.]

(*Mr. Thomas Chambers, Mr. Morley.*)

THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Thomas Chambers.*)

MR. MAGUIRE moved the adjournment of the debate.

Motion made, and Question proposed, "That the Debate be now adjourned."—(*Mr. Maguire.*)

SIR HENRY SELWIN-IBBETSON thought that after the discussions and Divisions which had already been held,

it would be idle to press the opposition to the Bill any further. He therefore hoped the Motion for the adjournment of the debate would be withdrawn, for he was sure neither the House nor country would misinterpret the adoption of such a course.

MR. BERESFORD HOPE concurred in this recommendation.

After a few observations from Mr. HEYGATE, Mr. COLLINS, Mr. MONK, and Mr. GORDON,

Motion, by leave, *withdrawn.*

Original Question put, and *agreed to.*

Bill read the third time, and *passed.*

House adjourned at One o'clock,
till Monday next.

HOUSE OF LORDS,

Monday, 13*th March*, 1871.

MINUTES.]—PUBLIC BILLS—*First Reading*—Marriage with a Deceased Wife's Sister * (38).
Second Reading—Prayer Book (Tables of Lessons) (29).

TREATY OF PARIS (1856)—NEUTRALITY OF THE BLACK SEA—THE CONFERENCE.—QUESTION.

THE DUKE OF RICHMOND: Seeing the noble Earl the Secretary for Foreign Affairs in his place, I wish to inquire whether he can give the House any information respecting the Conference on the Black Sea Question, which I understand has met to-day, and whether the sittings of the Conference are likely to extend over any lengthened period?

EARL GRANVILLE: In answer to the Question of the noble Duke, I have to state that the Conference met to-day really for the last time, though it will meet again to-morrow for matters of form. It will, no doubt, be satisfactory to your Lordships to know the general character of the conclusions at which it has arrived. A Treaty has been signed to day at the Foreign Office by which, while the clauses of the Treaty of 1856 respecting the neutralization of the Black Sea are abrogated, the restrictions imposed by previously existing treaties upon the Porte in regard to the closing of the Straits of the Dardanelles and Bosphorus when the Porte is at peace, are so far modified as to admit of its opening of them even in time of peace to the ships of war of friendly and allied Powers, in case the Porte should deem it necessary to do so, in order to insure the execution of the stipulations of the Treaty of Paris of March 30, 1856. The Treaty just signed also provides for the prolongation of the European Commission of the Danube for 12 years; and, further, for the continued neutrality of the works already created or to be created by the Commission; with a saving, however, of the right of the Porte, as a territorial Power, to send ships of war into the Danube. At the first meeting of the Conference, on the 17th of January, a special Protocol was signed, recording that it was an essential principle of the Law of Nations that no Power can liberate itself from the engagements of a Treaty, nor modify the stipulations thereof, unless with the consent of the contracting Powers by means of an amicable arrangement. The French Plenipotentiary has this day signed the Protocol together with the Treaty. The Protocols of the Conference will be presented to Parliament with as little delay as possible.

EDUCATION—THE NEW CODE (1871).

RESOLUTIONS.

EARL NELSON rose to draw attention to the Revised Code of 1871. The noble Earl said that he had put on the Paper a Notice to move the following Resolutions:—

> "1. That the children of families migrating from one parish to another (at Lady-day and Michaelmas), and bringing with them a duly certificated table of attendances from the school they have left, be allowed to reckon such attendances in the school to which they have come:
>
> "2. That a certificate be given to every child who has passed in the fourth and two higher standards, and in any extra subject:
>
> "3. That the number of days for which evening schools in agricultural parishes be required to be open be 60, and the number of requisite attendances be 40."

But that since he had given his Notice one of the chief points contained in his Resolutions—and, in fact, the only one as to which he should have insisted—had been conceded by the Government; it would not therefore be necessary that he should proceed with his Motion. But although the remaining points were comparatively unimportant, he desired to be permitted to state the reasons why he had desired to lay them before their Lordships. In the first place, he desired to say that he regarded the New Code as a *bonâ fide* fulfilment of the pledge given last year. For many features of it he was very thankful. The arrangement that good teachers of a certain age who had conducted schools well should be admitted without examination, and that pupil-teachers who had passed creditably might take charge of schools of a certain calibre, went far to meet the difficulty experienced by poor parishes in obtaining certificated teachers. He also approved the arrangement as to increased attendance in day schools, and the attempt to raise the standard of the education given there. But perhaps the most important of all its proposals, was the attempt to introduce the half-time system into the agricultural districts. He sincerely hoped the attempt would have a successful issue, by permitting boys over 10 in agricultural districts to reckon only 150 attendances for a grant. His first Resolution related to what he would call "migrating children." It was—

> "That the children of families migrating from one parish to another (at Lady-day and Michaelmas), and bringing with them a duly certificated table of attendances from the school they have left, be allowed to reckon such attendances in the school to which they have come."

This was intended to meet the case of the children of the better class of labourers—shepherds, carters, &c.—who, in the southern counties at least, were in the habit of changing their situations at those periods of the year. It would otherwise be impossible for them to show the 200 or 250 attendances which were a condition of examination, and there would be a risk of their education being neglected, as it would not be the teacher's interest to induce them to attend if they could get no grant for them. In his own school there were children in this position. In this case a real grievance existed. As, however, a proposal had been made that even in towns, and wherever children moved from one school to another—say from a British School to a National School, and *vice versâ*—the same power of counting attendances should be given, he would not press his own more limited Resolution, but would yield to Mr. Forster's appeal, that any sensible alteration of the Code at that time would impede the operation of the arrangements made under the recent Education Act, which it was desirable should be put into force as speedily as possible. His second Resolution was—

> "That a certificate be given to every child who has passed in the fourth and two higher standards, and in any extra subject."

The 4th Standard, requiring the ability to read and write well and the mastery of weights and measures, would prove the best starting point for future education, it could at present rarely be reached by a boy under 11 years of age, and it was desirable to give those on the point of leaving school an inducement to remain a longer time at the day school and to attend in the winter months under the half-time principle, in order to pass this standard and procure a certificate. He believed that employers would see the value of certificates, and that the boys who held them would be benefited by them. The third Resolution—

> "That the number of days for which evening schools in agricultural parishes be required to be open be 60, and the number of requisite attendances be 40"—

had been accepted by the Government in lieu of 80 days and 50 attendances, on the understanding that next January the original arrangement would probably be reverted to. All who were acquainted with the matter, or had heard the opinions of clergymen and schoolmasters in country districts, were convinced that evening schools could not be kept open more than 20 weeks in the year; for when the evenings lengthened youths found amusements, or attended to their gardens, and could not be induced to attend school. The grant, moreover, under the New Code to evening schools would not permit of the engagement of a special teacher, and the master of a day school, after working all day and attending to a pupil teacher, could not be expected to give up more than three evenings a-week. Indeed, a schoolmaster had assured him that, however great the pecuniary inducement might be, care for his health would preclude his doing more than this. The clergyman and parishioners who usually assisted in the evening school could not be expected to sacrifice more than three nights a-week. One important consideration in regard to the benefit of these night schools should not be lost sight of. If the half-time principle got fairly into operation in the agricultural districts, it was not at all unlikely that boys who had passed to a certain standard in the day school might attain a higher standard at the night school. Hitherto the attempt had been made to retain boys at the day schools until 12 years of age by not admitting them to the night school till that age; but experience clearly showed how impossible it was, in many cases, to prevent boys at, and often below, 10 years of age, from entering upon out-door work. Those boys who were now prevented by this interregnum from continuing their education in the night school from the time they left the day school ought, in common fairness, to be allowed again to pass in the lowest standards of the day schools, for their two or three years work in the fields had left their minds a complete blank. He hoped these points would be considered by the Government.

THE DUKE OF RICHMOND said, that as he had given Notice of a Motion for an Address to the Crown with respect to evening schools, he was glad this point had been conceded by the Government. It would, therefore, be sufficient for him —while he had no desire to interpose any difficulty in the working of the New Code—to point out objections to some parts of it, in the hope that the Government would consider them and see their way, either during the present or the next Session, to some modifications. The Government, it would no doubt be said, had been more liberal than had been expected in their grants of money under the New Code; but then the fact must not be lost sight of that, while that was so, the increased grants were subject to more stringent terms than under the former Code; and he doubted, therefore, whether more money would be received under the new than under the old system. As to the grants and attendances at evening schools he concurred with his noble Friend (Earl Nelson), but as to migrating scholars, the change of residence on the part of shepherds and carters was not usual in his own county, though it might be customary in Wiltshire. He feared that 60 was the outside number they could expect night schools to be kept open for in the rural districts, because they could not open them before the 1st of October, or expect to continue them after the 1st of March, when the evenings began to lengthen and the agricultural labourer had to work longer, and had also his little garden, and other matters to attend to. He found that by the New Code attendance was not to be required at any evening school under the age of 12 and above 18; but he submitted that 18 years of age was much too young, and that it should be extended to 25. Young men about, or above the age of 18, were just beginning to appreciate the advantages accruing from education, and if the period of time were extended to 25, much valuable education might be imparted and received in the interval. Under Article 20, he found that 250 attendances, morning or afternoon, were required to qualify a boy above 10 for examination in the rural districts, as he apprehended, with the view of encouraging the half-time system. He should be glad to know whether boys who had that number of attendances would be qualified not only for the examination, but also for the grant? Another point on which he wished to remark was that the Code treated boys and girls exactly alike. This was hardly fair, for while the former devoted their whole time to secular and religious knowledge, the latter devoted a considerable portion of the afternoon to needlework. They would, therefore, be at a considerable disadvantage as compared with boys. A distinction being made between the attainments of male and female pupil-teachers, there should also be a distinction between male and female scholars. The standard of examination appeared to him to be raised too high, the old Standard No. I. being abolished, and all of them being raised a step; so that Standard No. VI. was altogether a new one. This last required the writing of a short theme or letter, or easy paraphrase, and the mastery of vulgar or decimal fractions. Now he did not think boys in agricultural districts would attain such proficiency as to write a theme or paraphrase, or master vulgar or decimal fractions; which last, indeed, was the utmost arithmetical proficiency that was required of the female pupil-teacher in the last three years of her engagement. After the 31st of March, 1873, no day scholar above nine was to be examined in the 1st Standard, nor after the 31st of March, 1874, in the 2nd Standard. Now, the 3rd Standard required the reading of a short paragraph from an advanced reading book, the writing of a sentence from dictation, and a knowledge of the compound rules of money. He doubted whether boys even in the county of the noble Viscount opposite (Viscount Halifax) would be sufficiently precocious at the age of nine as to reach this standard. There was also a regulation that no scholar might be presented for examination a second time in the same or a lower standard. He presumed the object was to require every scholar to advance a step in every successive examination.

Viscount HALIFAX said, that his noble Friends had put to him several Questions of which they had given no Notice, and which, therefore, he was unable to answer so fully as he could have wished. He was glad to find that the noble Earl (Earl Nelson) approved the attempt to raise the standard, and most other alterations, proposed by the New Code. The noble Duke (the Duke of Richmond) was of opinion that too great a step had been made; but it was highly desirable that the standard of education should be gradually and steadily raised. Every ploughboy could not, of course, be expected to reach Standard VI. and it was probable that in schools in the country the pupils generally would seldom go beyond Standard IV; but if a boy could reach that standard it would show that he was reasonably well educated; and there could be no objection to encouraging the boy who, by talent and assiduity, attained the highest standard. Moreover, the Code was not designed for the rural districts exclusively; and he saw no reason why a fair proportion of scholars in the country, and still more probably in towns, should not reach the advanced standards. Boys above 10 years of age in a rural district, attending 150 times, would not only be qualified for examination, but would be entitled to a grant. As to migrating children, the alteration proposed by the noble Earl (Earl Nelson) would, in 99 cases out of 100, make no appreciable difference in the sum received by the teacher, and it would be attended with considerable trouble and inconvenience. With regard to certificates, he admitted that there was something to be said in their favour; but there were considerations on the other side, and he could only promise that the point should be carefully considered. As to evening schools, the alteration advocated by the noble Earl had been provisionally conceded; and it would be seen in the course of the year whether 60 evenings, and 40 attendances, were the utmost that could reasonably be expected. The noble Duke was correct in supposing that the object in forbidding a second examination in the same standard was simply to require every scholar to advance a step at every successive examination.

THE DUKE OF RICHMOND said, he wished for an explanation on this point. As every standard had been raised a step in the New Code, Standard I. of this year was Standard II. of last year. Therefore, a boy examined under Standard II. of last year would be examined the year following under Standard III. But Standard III. of last year became Standard II. this year; and as the rule declared that a boy could not be examined under the same standard a second year, it would necessarily preclude such boy from being examined at all. But, as that would present an obvious difficulty, and be utterly inconsistent with the principle of the Code, he supposed that the examination referred to applied to the subjects comprised under the standards, and not to the particular number of the standards themselves.

VISCOUNT HALIFAX: Yes; the rule against a boy being examined twice under the same standard simply means that he is expected to advance to a higher standard every year.

THE EARL OF SHAFTESBURY said, that if it was necessary to allow migratory children in the rural districts to reckon their attendance at both schools, it was ten thousand times more necessary among the dense populations of the metropolis and great cities. In London alone there were at least 40,000 persons who never continued in one locality three months, but were perpetually on the move. If, then, their attendances at one school were not reckoned on their going to another, they would not be able to reach the required standard, and they would thus be precluded from the benefit of examination; and would consequently be neglected by the teachers, because the latter would derive no advantage from them. That, he submitted, was a matter for serious consideration. At certain periods of the year, moreover, thousands of children went out hop-picking, &c., and their entire attendances ought in fairness to be taken into account. He quite agreed with the noble Earl and the noble Duke that it was impossible to expect attendance at evening schools in agricultural parishes more than 20 weeks a-year. Rural employment was very various; a great many children left off work at 4 or 5 p.m., and the farmers would in many cases be anxious that there should be an opportunity of attending evening schools; but a great many boys had to attend to horses and cattle, and could not leave off work till 6 or 6.30. They had then, with a drenched skin, to go home, get their supper, and change their clothes. It would be too much, therefore, to expect them to attend the evening school more than three times a-week during 20 weeks in the year. He hoped the Government would do all in their power to encourage night schools, for it was the only way in which the compulsory principle could be carried out. Children 10, 12, or 13 years of age would not be compelled to attend day schools. The value of the labour of children between 9 and 13 became much too great for them to attend day schools, unless the parents were compensated for the value of that labour. The only way to obtain a due attendance of children would be a very large increase in the evening schools. In London there were 33,000 ragged children attending school, of whom 22,000 attended day schools; but a very large proportion of these were under seven years of age, and the remainder were found in night schools, these latter being very often from 10 to 18 or 19 years of age. The age of children in infant schools had been reduced, he observed, from five to four. Their Lordships would recollect the disfavour with which he was met last year when he suggested that the age should be less than five. His object was to prevent an enormous abuse which prevailed in many parts of London, children of even three years of age being kept at labour by their mothers. If all the girls between 7 and 12 years of age were to be fixed in day schools, their mothers would be deprived of the services of the only child who could look after the infants while she was out at work. Unless, therefore, the age at which infants could be taken into schools was reduced, girls 12 or 13 years of age would be taken away, and hundreds of thousands of poor children would be packed in large close rooms under the care of some old woman. It was a great mistake to suppose that children three years of age could not be taught anything. They could not be taught intellectually, but they could be taught order, discipline, and obedience—singing and drill, for instance. He had seen hundreds, nay, thousands of children, many of them not more than two or three years of age, go through the regimental drill in capital style, and to their great enjoyment. He deeply regretted that music was not made an indispensable requisite in the education of children. It was impossible to describe the effect of music on the poorer and wilder sort, or the refining influence exerted on rough and lawless parents by children of the tenderest age being taught to sing hymns in sympathy and simplicity. Effects had thus, as he could testify from personal observation, been produced on parents living in the most degraded condition, such as could not have been effected by the action of the clergyman or the activity of the city missionary. To omit music was to neglect one of the best means of refining and elevating the most degraded portions of the human race.

Motion (by leave of the House) *withdrawn.*

PRAYER BOOK (TABLES OF LESSONS) BILL—(No. 29.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading, read.

THE LORD CHANCELLOR, in moving that the Bill be now read the second time, said, that it was identical with that passed by their Lordships in the last Session of Parliament. It was confined to that part of the labours of the Ritual Commissioners which was devoted to the Table of Lessons in our Prayer Book. At the very dawn of the Reformation, by those anxious for its promotion, one of the earliest steps taken was to secure the reading of the Holy Scriptures in a tongue understood by the people. Accordingly, in the first compilation of the Prayer Book, printed by authority, a Table of Lessons was inserted, so that the people might be instructed by hearing the Word of God read in the then existing translation. This Table had only been twice revised—first, in the reign of Elizabeth, and next, at the passing of the Act of Uniformity, in 1662. It had, for some time, been thought very desirable that there should be a further revision. One reason was, that no less than 144 Lessons were taken from the Apocryphal Books; another was, that some books—such as Chronicles—were wholly omitted, which would be both interesting and instructive. There were also chapters read which it was thought, by many (with whom he himself concurred), could be omitted with rather more profit than would attend their continued retention in the Table. The Evening Lessons, moreover, were taken exclusively from the Epistles, no other part of the New Testament being read in the afternoon or evening. Thus domestic servants and others unable to attend morning service never heard the Gospels read. All these points had been alluded to by a Committee of the Ritual Commission, by whom it had been recommended that the number of Lessons from the Apocrypha should be reduced from 144 to 32, those which were retained being chiefly taken from Ecclesiasticus and the Book of Wisdom, both of which contained much that was highly instructive and incentive to the improvement of morals. Portions of the Books which hitherto had been omitted altogether had been introduced into the Lectionary, and all chapters which it was thought undesirable to continue to read publicly had been omitted, the length of certain Lessons had been curtailed, and arrangements had been made by which those who attended evening service only would have the opportunity of hearing portions of the Gospel and of the Acts of the Apostles read. Were he to state the names of those acting upon the Committee, he was quite sure the House would repose the utmost confidence in their recommendations, and feel satisfied with their labours. The Report of the Committee had been adopted not only by the Convocation of Canterbury, but also by a Committee of the Convocation of the Province of York. The measure had now been before the public for nearly two years, and he had not heard a single objection raised to it as a whole, although, no doubt, objections had been taken to some of its details. The subject was one that must be dealt with once and for all, and therefore it was that the present measure was identical with that which had been introduced into their Lordships' House last year. He had heard it objected against the measure that it did not proceed far enough, inasmuch as it did not carry into effect all the recommendations of the Commissioners. There were, however, many reasons why it would have been undesirable to carry the measure further. Thus a great many of the alterations suggested by the Commissioners had relation to the mode of conducting the service, with the object of introducing a more general uniformity in the outward ceremonials of the Church; but, owing to a recent decision of the Judicial Committee of the Privy Council, such proposed alterations had become unnecessary; because it tended in the direction desired by the Commissioners, and it was far from desirable at present to attempt independent legislation which would probably fail in securing uniformity of opinion. With reference to the Report of the Ritual Commission, he was aware of the great discrimination, the forbearance and care with which that body had proceeded; but, at the same time, their last Report had not been so fortunate as to secure unanimous support. No less than 17 out of the 27 members of which the Commission consisted had protested against the Report —a circumstance that was to be explained by the fact that when the Report was agreed to all the Members of the Commission were not in attendance. Under these circumstances it was thought undesirable, at the present moment, to attempt to carry out by this measure the recommendations contained in that Report, more especially as no less than 26 different objections, each signed by more or less of the Commissioners, had been taken to certain of those recommendations. The measure before the House was one that it was desirable to pass as speedily as possible, because the impending change in the form of the Lectionary had thrown a serious impediment in the way of an important branch of trade by preventing the printing of new Prayer Books.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

THE EARL OF SHAFTESBURY desired to reiterate the opinion he had expressed last year—that this measure, as far as it went, would prove a great boon; but, at the same time, he did not see why it might not have gone further and have altogether excluded the Apocrypha from the Table of Lessons. He regretted the exclusion from the Lessons for the Sunday of the 14th chapter of Joshua, nor had any reason been assigned for the removal of it from the Sunday to the Week-day Lessons. The Commissioners had gone through a great deal of labour, and had shown the utmost impartiality and fairness in framing their Reports, and he thought their recommendations entitled to the highest respect; but, considering the ability of the Commissioners, he thought it a pity that their Report should have had so small a result as the present measure. He wished, for the sake of the peace of the Church, the Commissioners had found some way of settling the question as to the Athanasian Creed. Had the suggestion been adopted of preserving that Creed in the formulary of the Prayer Book, without requiring it to be compulsorily read, a good deal would have been effected towards reconciling those who objected to the service in its present form. The noble and learned Lord on the Woolsack had urged their Lordships to use speed with respect to this measure, on the ground that an important branch of trade was suffering from the uncertainty that existed at present as to the form of Lectionary that would be finally adopted; but he (the Earl of Shaftesbury) must protest against that observation as being capable of being construed into a pledge that no further alterations would for the present at least be proposed in the Prayer Book. He, for one, sincerely hoped that many of the important changes which had been recommended by the Commissioners would become law before long. Had the changes recommended in the Report of the Commissioners been formerly carried into effect, much would have been done to smooth many difficulties that now existed and to secure the safety of the Church, which during every hour of its existence was drifting into greater danger.

THE BISHOP OF GLOUCESTER AND BRISTOL said, he could assure the noble Earl (the Earl of Shaftesbury) that the recommendations to which he had referred had not received by any means unanimous support from the members of the Commission. In reference to the Athanasian Creed, if the noble Earl had been present at the meetings of the Commissioners, he would have found that it was not thought expedient to make any Report regarding it, although there were many members of the Commission to whose mind this Creed did not commend itself. He did not agree with the optional method suggested by the noble Earl, for he thought that there were other means by which a satisfactory adjustment of the difficult question could be arrived at. He concurred with his noble and learned Friend on the Woolsack in urging Parliament to adopt this Bill as soon as possible. He had stated in detail last year, and so would not now repeat the care and pains that had been taken by the Commission to make the Table of Lessons as perfect as possible. More recently, objections had been raised to the general principle on which the Lessons had been drawn up; but directly they were stated fairly, they would be found to result from a mistaken view being taken of the matter. A current objection to the provisions of the Bill was that they proposed to substitute a totally novel Lectionary for one dignified by age, of ancient precedent, and, in outline, very generally adopted both in the East and West. It has been urged, then, that the Church of England, by adopting this new Table, would in this respect separate herself from Continental and other Churches, and so would interpose another obstacle to union. The truth, however, was that any Table of Lessons was, comparatively, a new introduction. In the ancient Church no fixed Lectionary existed until about the 11th or 12th century. The Church of Rome in the 4th century had no Lessons but such as were taken from the Epistles and Gospels. He found that, in the early Christian Church, the privilege was allowed, or at any rate assumed, of altering the Lessons according to the subject to which the sermon was to be addressed. St. Augustine more than once alludes to changes which he had himself prescribed, and for which some excellent discourse of his own was apparently responsible. We know a few leading facts as to the choice of Lessons, but nothing more. For instance, in the ancient Church the custom was that the Book of the Prophet Isaiah should be read before Whitsuntide; after Whitsuntide followed the reading of the Books of Samuel and Kings; later on came the reading of the Books of Job, Proverbs, and Ecclesiastes; towards the latter period of the Church year the Books of Tobit and Judith were read very near the time of Lent. If the reader would turn to the Table of Lessons now before the House, he would see that in these particulars, as also in other details, it is carefully maintained in accord with the usage of the ancient Church, and he thought it would be found that all similar objections, founded on mistaken comparisons of the present with an assumed past, would, if considered fairly, at once disappear. He had alluded to this, as objections had been recently urged which it seemed proper now, thus briefly, to notice. He trusted, in conclusion, that the Bill would meet with the reception at their Lordships' hands which it obtained last year.

EARL STANHOPE said, that with reference to the points of detail pointed out by the noble Earl (the Earl of Shaftesbury) he thought their Lordships would feel that if a reform of the Table of Lessons was to be carried out at all, it must be done by placing a measure of confidence in those who had had the supervision of its details. Such details would never be suitably discussed or decided in that House. The well-chosen Committee of the Commission to whom that matter was referred were unanimous in their recommendations, as the Lord Chancellor had already stated, and it might be added to his statement that the Commission at large were equally unanimous when the question was whether those recommendations should be adopted and confirmed. He (Earl Stanhope) had, the other night expressed a hope that the measure of the Government might comprise not only the new Table of Lessons, but certain other matters in the Prayer Book. He admitted the difficulty that might have been found in attempting that course. Since, however, the measure was before the House, he thought their Lordships were—especially those who had been Members of the Commission—at liberty to express their sentiments; and he certainly shared in the regret expressed by the noble Earl, that the Athanasian Creed had not been dealt with. It was true that to deal with it, though most desirable, was also not a little difficult. The difficulty lay in the divided state of opinion among the Commissioners, and not among the Commissioners only, but among the Churchmen at large; and although it might be open to the House in Committee to move Amendments in the Bill on this and on other points of great importance, yet, thinking the measure as it stood was an undoubted good, and being anxious to secure that good, he did not wish to hazard it by proposing or supporting Amendments on other points, however desirable they might be in themselves. It was wholly repugnant to English feeling, while upholding and affirming one's own religious belief, to declare the eternal condemnation of all who did not accept it in every particular; and it was, he thought, impossible that a formula like the Athanasian Creed, as it now stood, could long retain its place in the public services of the Church. He might add that although much diversity of opinion had been expressed by the Commissioners as to the manner of dealing with this Creed, there was a decided majority in favour of some change from the present practice. The Archbishop of Canterbury — now unfortunately absent from the House on account of his state of health — had expressed a strong opinion to that effect, and when his Grace returned to England he hoped that the subject of the Athanasian Creed would receive from him, and from others of the right rev. Bench, the attention it deserved. He did not, however, wish to risk the defeat of the present Bill by attempting to remove any other grievance than the one it sought to remedy, and he trusted that the measure would speedily become law.

Lord CAIRNS said, he did not rise to offer any objection to the Lectionary proposed by that Bill. He agreed that if a change was to be made the substituted Lectionary must be accepted as a whole; and as a whole he believed the Lectionary now proposed was a great improvement on the one we at present possessed. But he desired to repeat now the protest he made last year against the manner in which Convocation was connected with the Bill. The recital of the Bill was that those "revised Tables of Lessons have been considered and approved by the Convocation of the Province of Canterbury and by a committee of the Convocation of York." He protested, in the first place, on the minor ground, that if it was right to take notice of Convocation and to have its assent, the assent they required was not that of a committee of the Convocation of York, but that of the Convocation of the Province of York itself. But, further, the manner in which Convocation was referred to in the Bill was entirely without precedent. On former occasions, when the assent of Convocation had been noticed, there was a distinct statement that Convocation had received from the Crown that licence without which the assent of Convocation could not be noticed in any Act of Parliament; and now, for the first time in that Bill, they had a recital of the approval of Convocation without any mention of the licence of the Crown to express that approval. They were told last year that no such licence had been given, and that there was such urgency in passing the Bill that any delay would be very injurious. As, however, the measure had stood over for another Session, there was no good reason for departing from the old constitutional practice requiring the assent of Convocation, if it was to be expressed at all, to be duly expressed by both branches of Convocation in pursuance of a licence from the Crown. He did not wish to impede the progress of the measure, but simply to renew his protest on the point he had described; and if no sufficient explanation were given, he hoped that in Committee that part of the recital would be struck out.

Lord EBURY said, he was perfectly astonished when he heard from the Lord Chancellor that the various recommendations made by the Royal Commissioners on other points than the Lectionary would not be included in the Bill. Were the Commissioners to understand that all their recommendations, excepting these, were to be set aside? If so, he was bound to say that was a very unsatisfactory state of things; and although he approved the Table of Lessons as proposed, he could not give his assent to the Bill without entering his protest against the neglect of recommendations of the greatest importance. Reference had been made to the protests made against the last Report; but these so-called protests were scarcely more than qualifying documents, for in only one was the word "protest" used, and out of the 26 remonstrances 11 or 12 related to the Athanasian Creed.

The Bishop of LONDON said, he somewhat sympathized with the noble Lord who had just spoken in regretting that the Bill did not include other important recommendations of the Commission than those relating to the Lectionary; but he presumed the passing of this Bill would not preclude action at some future time with reference to those recommendations. The great advantage of the course adopted was that this Bill having been well canvassed and generally supported, both by clergy and laity, it might be passed without being submitted to minute examination, and so very speedily become law. It could not have been hoped that this would have been the case had the Bill included some other of the recommendations of the Commissioners. He feared there was some possibility of misapprehension from the words used by the Lord Chancellor with reference to the difference of opinion among the Commissioners. Excepting the vexed question of the Athanasian Creed, he believed that, of the 66 recommendations made in the Report, exactly one-half were agreed to unanimously; nine had only one vote recorded against them; 20 passed by majorities varying from 6 to 1 and 2 to 1; and there were only four which were not carried by a majority of at least 2 to 1. The difficulty of the Commissioners was not so much the want of unanimity within the Commission as the want of unanimity without it. It appeared probable that many of the recommendations on which the Commissioners themselves had agreed would excite much disagreement in passing through Parliament; and it was thought that while this Bill, upon which little difference of opinion existed, would pass rapidly through Parliament, public opinion upon other points should have time to consolidate. The real difficulty was the Athanasian Creed. He believed that there were thousands of men, laity as well as clergy, who would not part from the use of that Creed without deep feelings of regret and, he would almost say, indignation. He might be sorry it should be so; but so, no doubt, it was. Besides this, it was doubtful—at least, so it appeared to him—whether the Royal Commissioners, considering they had been appointed to deal with the Rubrics alone, had any power to touch the Athanasian Creed. He, for one, felt strongly that in dealing with the Prayer Book they had no right to remove from the Prayer Book one of the three Creeds which it was declared by the authority of the Thirty-nine Articles ought thoroughly to be received and believed. How far this, the main difficulty, might be removed by time and consideration he did not venture to prophesy; but if in the present Session it had been attempted to carry out the recommendations of the Ritual Commission—especially, if it had been proposed to remove the Athanasian Creed from the Prayer Book—he was convinced that such a measure would not have passed without paining deeply many whose opinions were most highly valued. It would probably have met with strong opposition, and the result might have been that this Bill, which was generally desired, and would meet the wishes which the Church had expressed for many years, would have been lost.

EARL GREY: My Lords, I have no intention of offering any opposition to the passing of the Bill, but like my noble Friend who spoke last but one (Lord Ebury), I acquiesce in its being passed, with much doubt and reluctance, not because I am insensible to the value of the improvement which will be made by substituting the proposed Table of Lessons for that now in use, but because I think that that improvement, great as I admit it to be, would be dearly purchased if it were obtained at the price of throwing a new obstacle in the way of the more extensive improvements which are urgently wanted; and there is some reason to fear that this may prove to be the case. I think, with my noble Friend behind me (the Earl of Shaftesbury), that the argument used by the noble and learned Lord on the Woolsack, that the early passing of the Bill is necessary, in order that the trade in Prayer Books may be relieved from suspense, is open to the interpretation that when this Bill is passed we must look for no farther improvements in the Prayer Book; and that printers and publishers may proceed to bring out new editions without apprehension that it will again be changed. In my opinion, to determine that this is to be the end of improvements in the Prayer Book would be most fatal to the interests of the Church of England. There are many of the improvements suggested by the Commissioners which it would be very desirable to adopt, and there is one which they have not recommended, which I regard as far more important, and more urgently necessary, than any which they have proposed. I refer to some alteration in the Rubric for the purpose of putting an end to the necessity of reading the Athanasian Creed in the regular services of the Church. I heard with great regret what was said on this subject by the right rev. Prelate—my right rev. Friend, if he will allow me to call him so—who spoke last. He told us that this Creed could not be omitted from our services without giving great pain to a large number of excellent clergymen; but surely he must be aware that its retention gives still more pain not only to a larger number of clergymen who are compelled to use it, but also to nine-tenths of the laity. For my own part, I do not hesitate to say that I never hear that Creed read without a feeling of horror and disgust, regarding it, as I do, as being utterly inconsistent with the reverence due to the Supreme Being, and with a sense of devotion. It is now universally admitted that this Creed, which goes by the name of Athanasius, was not written by him, but centuries after his death. It is the barbarous production of a barbarous age; and I can conceive no more shocking presumption, or more gross irreverence to the Creator, than that men should take upon them to define His nature, which is so far above all human comprehension, by words which, as applied to this subject, certainly cannot be understood in their ordinary sense, and convey no real meaning to the mind. I wish the advocates of this Creed would explain what meaning they attach to such words as "begotten," or "proceeding," when applied to the person of the Trinity, and whether they even profess to understand the distinction drawn between them. I would ask those who attach so much value to this Creed how they can justify dealing in this manner with such awful mysteries, and then having the presumption to affirm that all who decline to adopt words and definitions which they do not themselves understand, will, beyond doubt, be condemned to eternal torture? The attempt to maintain this Creed in the services of the Church, in spite of its general condemnation by the reason and feelings of the great body of the people would be as unwise as it certainly would be unsuccessful in the end. If it would otherwise have been possible to retain it, the publication of the proceedings of the Commission has now clearly made this impracticable. It is true that the Commission has not recommended that the use of the Creed should be given up; but as my noble Friend (Earl Stanhope), himself one of the Commissioners, has pointed out to us, it has been unequivocally condemned at different times by so large a majority of the whole body as 17 out of 27; and the minority of the body, who were accidentally a majority of the Commissioners present when the final decision on this subject was come to, only agreed to advise its being retained, with the addition of a note to the Rubric, declaring that the most obnoxious words in the Creed were to be understood in a sense directly opposed to their plain, grammatical meaning. We have heard of "Jesuitical proceedings," and of the want of respect for truth they show; but to my mind nothing in that way could be more shocking than that we should be advised to retain the Creed, but, at the same time put into the Prayer Book a note declaring that it is not to be understood according to the plain meaning of its language. I cannot doubt that, to retain the Creed in this manner, would be most injurious to the Church of England, and would tend to alienate from it a very large number of persons. At the same time I recognize the difficulty in which the Commissioners were placed by the strong opinion in favour of the Creed of many of the clergy; but I think this difficulty might have been overcome by adopting the suggestion of my noble Friend (Earl Stanhope), and substituting the word "may" for "shall" in the Rubric directing the Creed to be used. No violent or sudden change would thus have been made. Those clergymen who think it right to persevere in declaring that all who differ from them on most abstruse metaphysical questions as to the nature of the Deity will, beyond doubt, be condemned to eternal torture, would have been at liberty to go on using the Creed, while those who take what I think a more charitable and a more Christian view of the subject would have been equally at liberty to omit it. Had reading the Creed been thus made optional I am convinced that the common sense and good feeling of congregations would in a few years have caused it to fall into disuse.

Earl BEAUCHAMP said, he looked with great satisfaction at the Bill now before the House; and he should not have risen to address their Lordships had it not been for the speech of the noble Earl who had just sat down. Their Lordships were not now discussing a Bill for the abolition of the Athanasian Creed, which as the noble Earl had said would perhaps have commanded a very doubtful assent; but after the noble Earl had said that the Commissioners had taken a Jesuitical course, he thought it necessary to speak on behalf of the Report which a majority of the Commissioners had adopted. He would not follow the noble Earl in the interpretation he had put upon the Athanasian Creed further than to say it did not accord with that given by some of the most eminent authorities in the Church of England. The note which it was proposed to append to the Creed was in the very words of the Royal Commissioners who sat in 1689, and were presided over by Archbishop Tillotson—and he left their Lordships to decide whether they were likely to adopt a Jesuitical mode of interpretation. Their Lordships had been told that a majority of the Commissioners were opposed to the retention of the Creed in the services of the Church. If that were so, and the question had been argued three or four times over, how was it that the majority hostile to the Creed had never been able to make itself felt? The fact was that the opponents of the Creed had never been able to define—to themselves even—what it was they wanted, and hence they never had been able to secure harmonious action; accordingly, their various proposals had been defeated in detail. That would show their Lordships the difficulty of bringing forward any proposals as to the Athanasian Creed likely to meet with the approval of the nation at large. It was all very well to talk about nine-tenths of the people of England being opposed to the Creed. He disputed the accuracy of that statement. On the contrary, he believed that the Athanasian Creed had been a source of comfort to thousands who did not put upon its language the exaggerated interpretation which had been placed upon it by the noble Earl. He warned their Lordships against further interference with the formularies and services of the Church of England, as to which, at the present moment, a very strong feeling existed. The Protestantism of the Church had been strained to an alarming extent; and the peace of the Church of England would be best secured and its permanence maintained by abstaining, at present, at all events, from further interference in this direction. Rough handling at the present moment was very likely to bring about danger and disaster, and, instead of leading to those measures of comprehension which everybody desired, might very possibly end in disruption and disestablishment.

THE BISHOP OF CHICHESTER said, that, as he understood, the Government by no means intended to throw aside the other recommendations of the Commissioners, but meant to take their time, and feel the pulse of the country, and bring forward remedial measures when they saw that the proper moment had arrived. As to the denunciation of the Athanasian Creed by the noble Earl (Earl Grey), uttered with a vehemence unsuited to the sacred character of the subject, he need only point out that the two expressions "proceeding" and "begotten," on which the noble Earl had laid such stress, were the very words Scripture applied to the Holy Ghost and to the Son of God. Accordingly, if the other criticisms of the noble Earl had no greater weight than this, they might be allowed to pass without further observation. His own opinion was that the Athanasian Creed ought not to be used in congregations without due explanation by the clergy. The Athanasian Creed was an exposition of the true sense of Scripture; but the argument that the Creed was intended only to be recited, not believed, went a great deal further than the noble Earl intended, for it would equally apply to the Nicene Creed and to the Apostles' Creed. As regarded the change in the Table of Lessons, that he believed to be a great improvement, and one which was much needed. He rejoiced, however, that the Committee and the framers of this Bill had been courageous enough to retain the noble chapters from the Apocrypha.

LORD LYTTELTON said, he had only understood the observations of the noble and learned Lord on the Woolsack to apply to the present Session. He trusted that hereafter it would be possible for the Government to give effect to many other of the recommendations of the Commissioners.

EARL GREY very much doubted whether the word "proceeding" was to be found in Scripture applied in the sense mentioned by the right rev. Prelate; but what he most objected to was the attempt to define by words what was beyond all human intellect and comprehension.

EARL GRANVILLE said, he would not continue the discussion as to whether the Athanasian Creed ought to be retained or done away with in the services of the Church; but he rose to explain the position in which the Government stood in regard to the Bill. The action of the Government had been misunderstood. The Government had been complained of for not going more fully into the recommendations of the Ritual Commissioners, and especially for not having dealt with the Athanasian Creed. There would have been no unwillingness on their part to deal with that question also had there been any reasonable amount of unanimity among the Commissioners themselves with regard to the Athanasian Creed. The declaration of the noble and learned Lord on the Woolsack had been limited simply to this—that Her Majesty's Government were not prepared at present to deal with a question the difficulties of which was shown by the want of union among the Commissioners. As to the point with which the Government did propose to deal by this Bill, there was almost entire unanimity of opinion. As to the mention in the recital that the revised Tables of Lessons had been considered and approved of by Convocation, the noble and learned Lord on the Woolsack was prepared to yield to what appeared to be the very general opinion of their Lordships on that point, and to strike out the recital in Committee.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House *To-morrow.*

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, 13*th March*, 1871.

MINUTES.]—Public Bills—*First Reading*—Game Laws Amendment (No. 2) * [71].
Second Reading—Army Regulation [39], *debate resumed and further adjourned.*
Select Committee—Metropolitan Board of Works (Leicester Square Improvement), &c., *nominated.*
Committee—Report—Stamp Act (1870) Amendment * [46].

IRISH LAND ACT.—QUESTION.

Mr. STEWART HARDY asked the First Lord of the Treasury, Whether it is true, as reported in the papers on Friday March 3rd, that a tenant at will in Armagh was awarded twenty-two years' purchase for disturbance in her holding, together with the value of her house and of a sand pit on the land, while the owner in fee simple received only twenty years' purchase; and, whether such a decision is in accordance with the provisions of the Land Bill?

Mr. GLADSTONE: Sir, it would not, I think, be any part of my duty to say, with regard to the decision of any Irish Court, whether it was or was not in accordance with the provisions of the Land Act; but I admit that I should have no difficulty in answering any Question as to what were the intentions of the framers of the Land Act, and probably the hon. Member intended to ask me a Question of that kind. I am cognizant of the circumstances to which the hon. Member refers as they appear in the public journals. I believe them to be correctly reported, though I do not think they are stated with perfect accuracy in this Question, because I think the sand pit was not a part of the holding. As I understand the statement, the sand pit was embraced in the valuation to which the hon. Gentleman refers. I have no doubt that the relative value of the interests of tenants and landlords under the Ulster custom, under which this case was tried, was not fixed or determined by the Irish Land Act of last year. That was taken as it was found. There was no option of proceeding otherwise than under the provisions of that Act.

POST OFFICE — POSTING OF NEWSPAPERS, &c., IN WALL AND PILLAR LETTER-BOXES.—QUESTION.

Mr. MILLER said, that in the absence of Mr. Macfie he would beg to ask the Postmaster General, Whether he does not think it expedient, after the long experience, of the great advantage which the public derive from the use of Wall and Pillar Letter-boxes, now to withdraw the prohibition to post therein newspapers, books, and patterns; and, whether he does not think that some of the delays and irregularities for which the Post Office is blamed, are not justly attributable to the practice of dropping along with written correspondence other despatches which may be within the limits of size allowed by the aperture into the same box, in contravention of the present regulations?

Mr. MONSELL, in reply, said, it was not expedient to permit wall and pillar letter-boxes to be used for the posting of newspapers, book, and patterns. If the present pillar posts were to be used for those purposes, they would obviously be too much encumbered. He was not aware of the delays or irregularities to which his hon. Friend alluded. But if there were any such delays or irregularities, they arose simply through disobeying directions which ought to be obeyed, and putting newspapers into pillar posts.

POST OFFICE—LETTERS OF OFFICERS AT FOREIGN STATIONS.—QUESTION.

SIR HERVEY BRUCE asked the Postmaster General, Whether he is aware that the letters of Officers in Her Majesty's Service, when on duty at Foreign Stations, are now charged full postage, and if they are ordered away from the Stations to which such letters were addressed before the arrival of the mail bags, such letters are charged fresh postage; and, whether he considers such charges just or expedient?

MR. MONSELL said, in reply, that the privilege under which letters of officers in Her Majesty's service serving at foreign stations were formerly conveyed at a lower rate of postage than that charged upon ordinary letters was abolished on the 1st of January, 1870, by a Warrant of the Treasury Board, dated 17th August, 1869. Officers' letters were not liable to any additional charge on re-direction when an officer serving at a foreign station was removed from such station to another station before the letter arrived. That was very clearly stated in Rule 113 of *The British Postal Guide.*

IRELAND—RIBANDISM.—QUESTION.

MR. MONK asked the Chief Secretary for Ireland, Whether a printed form of the following oath, or of an oath to the like effect, alleged to have been taken by Ribandmen in the county of Westmeath, has not been seized by the police in that county:—

"By the virtue of the oath I have taken, I will aid and assist, with all my mind and strength, when called upon, to massacre Protestants and cut away heretics, burn British churches, and abolish Protestant Kings and Princes, and all others except the Church of Rome and this system; and by the virtue of the oath I have taken, I will think it no sin to kill and massacre a Protestant, whenever opportunity occurs; and by virtue of the said oath, if I know any of the said members of this system to be backward in executing any of the aforesaid orders, I will immediately make it known to the captain or committee-man belonging to the Riband Board; and by virtue of the oath, I will always attend at one moment's notice to execute any commands belonging to this system, and I will never see a brother hurt or abused by any not up to this system without assisting him, nor will I buy anything from a Protestant at any terms, if I can get it from a brother; and I also feel bound to believe that there is no absolution to be had from the Pope of Rome, or any other authority belonging to that Church, or that which is to come, from a breach of the test?"

THE MARQUESS OF HARTINGTON: The printed paper, which is quoted almost accurately in the Question of my hon. Friend, was found in a house in Mullingar in the year 1869. There is, I believe, reason to doubt whether it is a genuine Riband document; and, if so, it is supposed to be a copy of an obsolete oath. I have no further information on that subject.

THE TREATY OF PARIS (1856)—NEUTRALIZATION OF THE BLACK SEA—THE CONFERENCE.—QUESTION.

MR. BAILLIE COCHRANE: I wish to ask the Under Secretary of State for Foreign Affairs, Whether the Government, before coming to any decision in the Conference, will not take means to learn what were the contingencies which, in Baron Brunow's opinion, justified a violation of the Treaty of 1856, the more especially as subsequently, in reply to Lord Granville, the Russian Ambassador declared that these contingencies had never been realized? I wish also to ask whether the noble Lord can give us any information concerning proposals made at the Conference?

VISCOUNT ENFIELD: Sir, in reply to the Question of my hon. Friend, I have to state that Earl Granville has received permission from the Russian Ambassador to state that the contingencies to which his Excellency alluded had reference to the possible bearing of the late war between Austria and Italy on the independence and integrity of the Turkish Empire. With reference to the second Question of my hon. Friend, I will, with the permission of the House, make a short statement. I have to inform the House that a Treaty has been signed today at the Foreign Office, by which the clauses of the Treaty of 1856 respecting the neutralization of the Black Sea are abrogated, and the restrictions imposed by previously existing treaties upon the Porte in regard to the closing of the Straits of the Dardanelles and the Bosphorus, when the Porte is at peace, are so far modified as to admit of their being open to ships of war of friendly or allied Powers, in case the Porte should deem it necessary to do so in order to secure the execution of the stipulations of the Treaty of Paris of March 30th, 1856. The Treaty just signed also provides for the prolongation of the European Commission of the Danube for 12 years; and, further, for the continued neutrality of the works already created or to be created by the Commission, with a saving, however, of the rights of the Porte, as a territorial Power, to send ships of war into the Danube. At the first meeting of the Conference, on the 17th January, a special Protocol was signed, recording that it was an essential principle of the Law of Nations that no Power can liberate itself from the engagements of a treaty, nor modify the stipulations thereof, unless with the consent of the contracting Powers by means of an amicable arrangement. The French Plenipotentiary has this day signed the Protocol, together with the Treaty, and the Protocols of the Conference will be presented to Parliament with the least possible delay.

ARMY—EXAMINATIONS FOR DIRECT COMMISSIONS.—QUESTION.

Colonel CORBETT asked the Secretary of State for War, Whether the gentlemen who passed their examination for direct commissions in the Army in August last will, in event of their being over age when their turn comes for a commission, still be eligible, or whether they will be passed by as superannuated?

Mr. CARDWELL: Each candidate who passed in July was furnished with a memorandum explaining to him the prospect of his obtaining a commission, and pointing out within what time he must obtain it or be superannuated.

Lord GARLIES asked the Secretary of State for War, Whether there will be any Examination for Direct Commissions within the next few months; and, if so, whether it will be conducted upon the old system, or upon the new one recommended by the recent Commission's Report on the subject?

Mr. CARDWELL: As there are upwards of 500 candidates for commissions who have passed, there will not be another examination for the Army generally for a considerable time. If any examinations are necessary for the Guards, they will be conducted under the new system.

ARMY—CHRISTCHURCH BARRACKS.
QUESTION.

Mr. G. BENTINCK asked the Secretary of State for War, Whether it was not the intention of the Government last year to sell or pull down the barracks at Christchurch; whether they were deterred from doing so by the intervention of His Royal Highness the Field Marshal Commanding in Chief; and, whether it is not the practice to advertise for tenders for contracts for the repairs in barracks; and, if so, whether that course was pursued in the case of the repairs now executing in the barracks at Christchurch; and, if so, in what papers such tenders were advertised?

Mr. CARDWELL said, in reply, that there was no intention to sell or pull down the barracks at Christchurch. The repairs were being executed under the triennial contract made in 1868, the tenders for which were advertised in the *Builder*, *Building News*, *Portsmouth Times*, and *Hampshire Advertiser*.

POOR LAW (METROPOLIS)—SMALL POX HOSPITALS.—QUESTION.

Mr. GATHORNE HARDY asked the late President of the Poor Law Board, Whether he is correctly reported to have said to a deputation from Islington that "the Metropolitan Asylums Board could not do more work in the way of providing hospitals for Small Pox cases;" and, if so, upon what grounds he made the statement?

Mr. GOSCHEN, in reply, said, he had not made the statement in those broad terms in which he was reported to have spoken. He pointed to the extreme difficulty which the Metropolitan Asylums Board had at the present moment, on account of having two large lunatic asylums and three or four small pox establishments on their hands. He also stated that they experienced great difficulty in obtaining sufficient men to work on committees for obtaining sites and superintending plans. That statement he made on the authority of members of the Metropolitan Asylums Board.

Afterwards—

Mr. PEEK asked the Secretary to the Poor Law Board, Whether it is the intention of that Board to erect a Small Pox Hospital upon any portion of the surplus lands of Battersea Park; and whether any application has been made to the First Commissioner of Works for a grant of land for that purpose?

MR. HIBBERT said, in reply, that the Poor Law Board had made application to the First Commissioner of Works to ascertain the terms on which the Government would grant land for the purpose of building a small pox hospital thereon. At the same time, there was no present intention on the part either of the Metropolitan Asylums Board or the Poor Law Board to erect a small pox hospital on that site. By saying so, he was not precluding the Poor Law Board from taking any steps that might be necessary.

COST OF THE ABYSSINIAN WAR. QUESTION.

MR. HUNT asked Mr. Chancellor of the Exchequer, Whether he made a statement on March the 7th, that nineteen millions were added to the National Debt by the Abyssinian War; whether in point of fact any addition to the permanent debt of the Country was made by that war; whether the cost of that war was not below nine millions; and, whether the debt temporarily incurred for a portion of such cost has not been entirely provided for out of Taxes, and extinguished?

THE CHANCELLOR OF THE EXCHEQUER: Sir, I did not say that £19,000,000 were added to the National Debt by the Abyssinian War. The Abyssinian War cost less than £9,000,000. In defraying that charge there were borrowed, I think, £2,000,000 from the Bank of England, which were repaid out of the balances, and therefore did not add to the Debt of the country, and there were Exchequer Bonds for £1,000,000 which have since been paid off, and therefore formed no addition to the public Debt. I was entirely in error when I said that they had. But the error was more technical than real. The fact was that by great exertions in raising more Revenue the cost of the Abyssinian War was prevented from becoming public debt, and was paid off instead. I am happy to acknowledge that for that result the country is indebted to the right hon. Gentleman opposite. I hope the right hon. Gentleman will not think that in making the statement I wished to cast any reflection on him.

IRELAND—RIBANDISM IN WESTMEATH, &c.—QUESTION.

SIR FREDERICK W. HEYGATE asked the First Lord of the Treasury, Whether and when Her Majesty's Government intend to apply to Parliament for any extraordinary powers to enable them at once to cope with the present disregard of all Law in the counties of Westmeath, Meath, and parts of King's County; or, if the adoption of measures necessary to restore security to life and property in the disturbed districts is to await the Report of the Select Committee just appointed?

MR. GLADSTONE: I am at a loss, Sir, to know whether I understand aright the Question of the hon. Baronet, though the terms are so clear that I do not see how I can misapprehend them. But if I do understand the Question, it appears like an invitation to repeat in answer to a Question the substance of a debate on which we lately spent two nights. The opinion of the Government is that they will best discharge their duty with respect to the state of things which exists not in "Westmeath, Meath, and parts of King's County," but in Westmeath, and parts of Meath and King's County, by placing the facts on such a footing as to be beyond all dispute by means of the inquiry of an impartial Committee. That appears to us the most prompt method that can be adopted with a view to an effectual remedy. But I quite agree with the hon. Baronet that it is our duty that the remedy should be applied in the most speedy and effective manner.

IRELAND—RAILWAYS.—QUESTION.

MR. VANCE asked the President of the Board of Trade, If he has any objection to lay upon the Table of the House the Bill which he stated to a deputation in Dublin had been prepared by Government for the purchase of the Irish Railways?

MR. CHICHESTER FORTESCUE said, in reply, that the Question of his hon. Friend was based on a misreport of what passed on the occasion referred to. He never alluded to any Government Bill being in existence, but to a Bill which the Lord Lieutenant himself had then recently received, through, he believed, the late Lord Mayor, from what was called the Mansion House Committee, on the subject of Irish railways.

That was a Bill providing for the purchase of the Irish railways under an Irish guarantee to be given by means of a system of Irish taxation, and he referred to the subject for the purpose of ascertaining whether the deputation had come to the Lord Lieutenant with a view to support that Bill. He found, upon inquiry, that most of the members of the deputation were not aware of the existence of the Bill, and did not come for the purpose of supporting it. Whether it would be in the power of the Chief Secretary to lay that Bill on the Table he did not know; but he would inquire.

ARMY—ABOLITION OF PURCHASE.

QUESTION.

LORD GARLIES asked the Secretary of State for War, Whether there is any sum of money provided in the Army Estimates for the contingency of the Abolition of Purchase (in the event of the Army Regulation Bill passing into Law); if so, what the amount of that sum is estimated at for the current Military year; and, if not, whether the passing of this Bill will necessitate a further Supplementary Vote of Money?

MR. CARDWELL: Sir, there is no such sum in the present Estimates. When the Army Regulation Bill shall have passed it will be necessary to lay an Estimate on the Table for such portion of the sum estimated by the actuaries as may be necessary to provide for the portion of the year still unexpired after the appointed day. The sum for the whole first year is estimated at £1,060,058, and the sum actually required will be the proportionate part of that amount.

EPPING FOREST.—QUESTION.

SIR HENRY SELWIN-IBBETSON asked Mr. Chancellor of the Exchequer, If he is aware that the timber in High Beach, a part of Epping Forest, is being marked previous to being cut down by private people; and, if so, whether he is prepared to take any steps to restrain such action till the question as to the inclosure of Epping Forest has been decided?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is not in my power, even if I were willing, to take any steps in the matter. The House is aware that the Government have no property in the land of Epping Forest, but only certain forestal rights over it. In the part of the forest where they are cutting down the timber even these forestal rights have been extinguished, and the Government has no legal power to interfere.

DESPATCH OF MR. ODO RUSSELL.

QUESTION.

MR. BOUVERIE asked the Under Secretary of State for Foreign Affairs, Whether the Despatch of Mr. Odo Russell, dated February 27th, Versailles, and presented to Parliament by command of Her Majesty, was written in reply to any Despatch or communication from Her Majesty's Government; and, if so, whether such last-mentioned Despatch or communication can be also given?

VISCOUNT ENFIELD: Sir, Mr. Odo Russell's despatch, to which my right hon. Friend alludes, was not written in reply to any despatch or communication from the Foreign Office; but after what had passed on the subject, and the comments made on the language he had held to Count Bismarck, Mr. Russell felt it his duty to explain those motives to his official superiors, within whose discretion it then rested to publish the explanation in the same manner as the original conversation had been made known—namely, by presenting to Parliament the despatch containing it.

INDIAN ENGINEERING COLLEGE.

QUESTION.

MR. FAWCETT asked the Under Secretary of State for India, Whether the Governor General of India in Council was consulted before any definite steps were taken to establish the Indian Engineering College at Cooper's Hill; and, whether there is any objection to lay upon the Table the Correspondence which has taken place between the Secretary of State for India in Council and the Governor General in Council in reference to the establishment of this College?

MR. GRANT DUFF: There will be no objection to producing the Correspondence referred to if the hon. Member will move for it.

MR. FAWCETT: The Under Secretary has not answered my Question. What I wish to know is whether the

Governor General and Council were consulted before any definite steps were taken in the matter?

Mr. GRANT DUFF: I thought I answered both the hon. Gentleman's Questions. Of course, the Correspondence referred to could not be produced unless the Government of India had been consulted.

Mr. FAWCETT: The point on which I wish to have an answer from the hon. Gentleman is this—whether the Governor General was communicated with before any definite steps were taken to establish the College?

Mr. GRANT DUFF: Certainly.

ARMY REGULATION BILL—[Bill 39.]

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate.*)

SECOND READING. [THIRD NIGHT.]

ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [6th March], "That the Bill be now read a second time;" and which Amendment was,

> To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army,"—(*Colonel Loyd Lindsay,*)

—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

Sir JOHN PAKINGTON: Sir, it is with extreme regret I find, after giving the most dispassionate consideration in my power to this measure, that I can regard it only with increased feelings of disapprobation and disappointment. At the commencement of the Session my right hon. Friend the Member for Buckinghamshire (Mr. Disraeli) said he was prepared to give the fairest consideration and, if possible, support to Her Majesty's Government in any measure which they might bring forward with the view of carrying out the declared desire of the country that our national defences should be placed on a more satisfactory footing. Now, in speaking for myself, I believe I am speaking for every hon. Gentleman on this side of the House when I say that we are, one and all, prepared to receive favourably, and honestly to support, if we could do so, any measure which the Government might bring forward with regard to this most important question. But I am sorry to say that the result has been very different from what we expected. The Government have now laid before us their plan—and what do we find? We find, as the head and front of this most important measure, a costly, party, crochety project—a sop to democracy—a measure which, when combined and considered with the remainder of the plan of the Government as developed in this Bill, I cannot bring myself to believe will contribute one iota to the national defences of the country. I wish, in the first place, to call the attention of the House to the somewhat extraordinary statement made by my right hon. Friend the Secretary for War when he brought forward, I admit most candidly and most fairly, the plan of the Government. He told us that he and his Colleagues had come to the decision to do away with the system of purchase in the Army; and then I anxiously listened to know with what argument and what reason he was about to assail that system. But he gave us none. He only made this statement, with which I shall be prepared to deal before I sit down—he said that it would, in the opinion of the Government, be impossible to amalgamate the Reserve forces with the Line, and reorganize our Army system satisfactorily, unless the system of purchase was done away with. He then proceeded to make another statement which, as far as I can judge, was the most strange one ever made to a British Parliament. He stated that no doubt there were strong reasons in favour of retaining the purchase system, and immediately proceeded to adopt a plan under which we shall impose on the taxpayers of the country a burden, as he says, of £8,000,000 of money. And for what?—to abolish that system which, by his own admission, there are strong reasons for retaining. The right hon. Baronet the Member for Morpeth (Sir George Grey), speaking subsequently, went still further. He stated broadly and distinctly the general arguments in favour of the system of purchase, and went on to show the House why, in his opinion, it was a good system; adding the remarkable words, which are perfectly true, that, under the system of purchase, the non-purchase were better off than the purchase officers. Yet, notwithstanding that declaration, the right hon. Baronet proceeded to state that he, too, was willing to saddle the taxpayers of this country with the payment of millions of money in order to abolish that system. These are, in my opinion, extraordinary statements; and the Government, in bringing forward their proposal, were, I think, bound, under the circumstances, to adduce stronger reasons in support of their policy than any which we have yet heard. I hope the House will now allow me to refer for a moment to the position held by the right hon. Gentleman at the head of the Government in connection with this subject. Little more than two years have passed away since the right hon. Gentleman, in the progress which he made through Lancashire, denounced in no measured terms the wasteful and extravagant expenditure of his predecessors in office, and of my humble self in particular. I cannot help thinking, however, that I ought to find ample consolation for the imputations made against me by the right hon. Gentleman in the events of the last two years. In a letter written by Earl Russell he speaks of my right hon. Friend the Secretary for War as having been appointed to his present office for the purpose of effecting retrenchment, and that he had retrenched. That is perfectly true, for within the first 18 months after the last change of Government 20,000 men were struck off the numbers of the Army as I had left it, and the Estimates were reduced in proportion. But what do I find after those 18 months have passed away? I find the strength of our Army restored to within a few thousand men of the strength at which I left it in 1868, while the Estimates have been brought back to within a few thousands of those very Estimates which had been denounced by the Prime Minister as so wasteful and extravagant. Now, I am making no complaint of this increase of the Estimates—on that score I find no fault with the Government—it is with their denunciations of our supposed extravagance that I think I have just reason to quarrel. And you may judge my profound astonishment when I see a Ministry who placed economy and retrenchment in the very forefront of their policy, and who denounced the late Government as extravagant, coming down to the House of Commons and proposing to us to sanction a scheme which, as was said by my noble Friend the Member for Haddingtonshire a few evenings ago, is one of the most wantonly extravagant and wasteful proposals that have ever been made to Parliament. The Secretary of State, in making his statement the other day, asked us frankly and fairly three questions. Are you prepared, he said, to meet these three objections? Are you prepared to sacrifice a very large sum of money? Are you prepared to deal with the question of retirement? And are you prepared to adopt the principle of selection? Now, I am bound to answer all these questions in the negative. I am not prepared to consent to an enormous sacrifice of public money, unless the Government can show that this sacrifice is for adequate reasons. I am not prepared to plunge into the unknown cost of a scheme of retirement until that scheme is explained. Nor am I prepared to encounter the well-known and proved difficulties of selection. It is to be regretted that the system of purchase in the Army is very imperfectly understood. The Secretary of State led us to think last year that he did not understand it; but it is clear he has now mastered the subject, because he has told us how very strong are the arguments it its favour. Many hon. Members, however, have shown that they do not understand it, and out-of-doors it is understood still less. Gentlemen, including the hon. Member for the Border Burghs (Mr. Trevelyan), have been riding their hobbies rather hard, and have been going about the country throwing dust into the eyes of the people upon this subject. In my opinion, therefore, it is at this moment of serious national importance that we should endeavour to arrive at a right understanding of the real merits of the question. I was sorry, a few days ago, to read the language addressed by the hon. and learned Solicitor General to his constituents at Exeter. The hon. and learned Member, though distinguished in his own profession, yet not probably knowing much about purchase in the Army, said that under it "rich and incompetent men" buy the right "to destroy regiments and to lose battles." On the part of such a man as the Solicitor General we have a right to expect that, even when addressing his constituents, he should not speak on a subject of such importance with this levity. But the hon. and learned Gentleman went further, and condescended to repeat the trash which I thought was now dismissed from the mind of every intelligent man in this country—always excepting the hon. Member for the Border Burghs (Mr. Trevelyan)—that the officers of the British Army are a peculiar and a privileged class. It is deeply to be regretted that this misrepresentation should go abroad; and I want to impress upon the House and the country that, in arriving at a judgment upon this question, which has assumed now a national importance, it is most desirable that opinion should be based not upon partizan statements from either side of the House, but upon authenticated means, which we have at our command. We have the information arrived at after an able, impartial, judicial inquiry by the Royal Commission of 1857, which discussed the purchase system with an ability and a fairness leaving nothing to be desired. I hope I shall not be thought to waste the time of the House if I invite attention to the decision of this Commission. Let me remind the House, in the first place, of whom that Commission was composed. It had at its head the Duke of Somerset, Lord Stanley—now the Earl of Derby—Mr. Sidney Herbert, Sir De Lacy Evans, Sir Harry Jones, and Mr. Carr Glynn—now Lord Wolverton. It will be seen from the composition of the Commission that it had no unfair bias; that it would not lean unduly to aristocratic influence in the Army, nor to any views unfairly opposed to those of the present Government. The Royal Commission, after hearing evidence, wrote a most careful and able Report—and what was their decision? They did not recommend any abolition of purchase in the Army under the rank of major, but they recommended its abolitition above that grade, in order that the command of regiments should no longer be subject to purchase. It is now 14 years since that Report was issued. The Government of Lord Palmerston made up their minds to adopt the Report; but when they tried to give practical effect to it they found the difficulties so great that they abandoned the project; and from 1857 to the present moment no attempt has been made to carry out the recommendation of the Commissioners. In two short sentences the Royal Commission summed up the arguments for and against purchase in the Army. They said—

> "To comprise in a few words the evils of the purchase system, it is said to restrict the number of those from whom officers can in the first instance be obtained; it deadens the feelings of emulation and the eagerness to acquire military knowledge; and it renders men eligible for the highest command without taking any security that they are fitted for such a position. The chief advantages of the system are said to be that it facilitates the retirement of officers, and thereby accelerates promotion in the Army, which would otherwise stagnate during a period of continual peace; also, it is said to afford to officers a security against the influence of favour, enabling each officer to obtain his advancement by his own means, without being dependent on the good will of the Government, or on the patronage of higher authorities."

A moment's consideration of these two statements will show that the objections to purchase are objections of theory, while the arguments in its favour are practical. As to the objections to the system, I was struck by what fell from the Secretary of State this evening. He has told us that at this moment there are 500 gentlemen who have passed their examination and are waiting for a commission. We may dismiss, therefore, all uneasiness as to "the number of those from whom officers can in the first instance be obtained." As to the objection that purchase deadens emulation and the eagerness of officers to acquire a knowledge of their profession, there is an obvious remedy for such an evil if it exists. A stroke of the pen will correct it; the Commander-in-Chief, and those at the head of the Army, have only to prescribe any regulations they choose for increasing the acquirements of officers in the Army. The remaining objection is the most serious—that under the existing system men may be appointed to the highest command, there being no security as to their fitness for such a position. Now, if the facts are examined, I believe it will be found there are in practice very few such cases, and that where they occur they may be dealt with by the exercise of the veto which the Commander-in-Chief possesses. The Royal Commissioners, referring to the constitution of our regiments, and to the fact that each regiment contained only two majors, and a number of captains and subaltern officers, drew this distinction:—"Here," they said, "the purchase system operates favourably for the public service," on account of the officers who retire by the sale of their commissions. Here is the deliberate opinion of an impartial Commission that the purchase system operates for the public advantage. The Commissioners say—

> "In the preceding pages we have endeavoured to show that if the purchase system be abolished it will become indispensable, for the purpose of maintaining the efficiency of the British Army, to adopt a new system of retirement and promotion—namely, to make retirement, after a fixed age or period of service compulsory, and to give promotion by selection."

For the present I shall postpone my observations as to promotion by selection, wishing now to examine the substitute proposed by the Government for the system of purchase. In the first place, I will touch upon a subject which has not, I think, been alluded to by any previous speaker. We have heard a great deal of how men are to get out of the Army, and what is to be the system of retirement; but I do not remember to have heard a word as to how young men are to get into the Army. I ask the House to consider whether this question is not immediately and closely connected with the plan of the Government. There are now three modes of getting into the Army. Young men may compete and obtain commissions at Sandhurst without purchase; non-commissioned officers are in a certain ratio raised from the ranks to the position of commissioned officers; and the third mode is the purchase system, by which young men are allowed to enter their names in the list of the Military Secretary, and purchase their commissions. The practical result is, as far as I can judge, that about two-thirds, or between two-thirds and three-fourths, of the young men who enter the Army enter by purchase, and about one-third or one-fourth enter without purchase. The point I wish to press upon the House is that under this system we are free from patronage and favour, jobbing and political influence. A young man gets his name put down for purchase, and when his turn comes round he is brought up for examination—which is most fairly conducted, for in my own personal experience I have known cases where men of very humble position have come out at the top of the list, and where the sons of noblemen have either been at the bottom or, failing altogether, have been unable to make the Army their profession. This is no mean consideration. It is, indeed, a matter of extreme importance. Now, what are the modes of entering the Army which the right hon. Gentleman adopts? Of course, he properly continues the mode of letting men enter the Army by competition and examination at Sandhurst. He also continues the plan of raising men from the ranks, and he is perfectly right in doing so—with the limitation that the practice should not be much farther increased. I do not believe it would be for the good of the Army that the system of raising men from the ranks to commissions should be extended to a greater extent than it exists at present. The right hon. Gentleman next explained his two substitutes for purchase. One is the admission into the Line of Militia officers after two years' training, and the other is the adoption of the cadet system. Now here we must be cautious what we are doing—because we are here going back to favour and patronage. I do not wish to show the slightest disrespect to the eminent and distinguished men who fill the offices of Lords Lieutenant of counties, but, even supposing them to be free from the action, you will expose them to the suspicion of jobbing these appointments. Two of these Lords Lieutenant have told me recently that they have already received from 20 to 30 applications to put down young men who wished to take advantage of this arrangement to enter the Army. We all know what is now said—I do not say justly—with respect to the selection of magistrates by Lords Lieutenant, and the imputations cast on them out-of-doors in respect to that matter; but what would be the case when they shall have the power of selecting from among their own friends those who are to be passed into the Army on such easy terms? Would not such a system be open to the suspicion, at least, of favouritism and jobbery? With regard to the adoption of the cadet system, I wish to be further informed as to the intentions of the Secretary of War. The hon. and gallant Member for Colchester, (Colonel Learmonth), who spoke the other night with such great ability and knowledge of the subject, expressed an opinion very much in favour of that system, and I was not surprised to hear that that gallant Officer took at first sight a favourable view of it. It has, however, been my fate to know a good deal of the Admiralty, and in that Department I had ample experience of what kind of thing the cadet system is. I want to know who is to nominate to these cadetships? At the Admiralty the duty of selection was constantly involving us in the suspicion of favouritism at least. No man could have been First Lord without having his table covered with numerous applications such as this—"I have always supported Conservative or Liberal candidates" (as the case might be), "and I have a very nice boy, nine years old, whom I want to be a cadet." Such are the applications which the First Lord receives day after day. A similar result, I apprehend, will attend this proposal of cadets for the Army. Then I want to know at what age are these cadets to be admitted; at what age are they to commence their career? I say that we have now a system which is free from favour and from the suspicion of political jobbing, and I warn and entreat the Government most solemnly that in their earnest desire to adopt this democratic system—for that is what the abolition of purchase really amounts to—they should beware, lest in trying to avoid the evils which exist, they should incur others of even greater magnitude and importance.

And now let me touch on a subject which has been much discussed, and which, I hope, will receive still more discussion—I mean the question how men are to get out of the Army. What is to be your system of retirement? Here, I think, we have some right to complain of the conduct of the Government, for this is a question of enormous magnitude, closely and immediately affecting the expenditure of the country and the efficiency of our Army, and I think the Government are bound to show what the system of retirement is to be, and what effect it is likely to have on the efficiency of the Army. We are in manifest danger; either you will have the dead routine of seniority, fatal to the efficiency of the Army, or you will have an enormous expenditure to provide for. This is a difficult question, the importance of which it is impossible to overrate. And there is another question germane to it—What are you going to do about the artillery? This question is pressing upon us very strongly. Four years ago the right hon. Member for Pontefract (Mr. Childers) presided over a Committee, which entered into arrangements for providing retirements for artillery officers. As long as I was in office, he was constantly asking me whether we were going to adopt these arrangements; but my answer was always the same—"The scheme is too costly; I will not adopt it, and will wait until you are in office, when you can adopt it yourself." But it never has been adopted. Last year the evil was still pressing on the Royal Artillery, and a small departmental committee was appointed by my right hon. Friend at the War Office, consisting of the hon. and gallant Member for Truro (Captain Vivian), and only two other persons. That committee gave considerable care to the inquiry, and they produced a Report, which was laid upon the Table of this House. I want to know is that Report going to be carried out, or is the suggested plan deemed too expensive? This very morning I received a letter from the father of two young officers in the artillery, complaining in the most bitter terms of the stagnation of their prospects; and I have received several other letters to the same effect within the last few days. One of these letters, which I received this morning, even went to the length of saying —"Do not suppose we can be satisfied with the Report which was cooked up at the War Office last year." Have we not here, in the condition of the Royal Artillery at this moment, and in their prospects, a grave warning against extending these difficulties to the whole Army? What would be the number of officers to be provided for under your system of retirement? Recollect the warning advice given by that fairly constituted Commission. Under the present system the whole thing is provided for. The officers sell their commissions and retire; but, under the new system, nothing will be provided for. I very much fear that the evils in front of you are such that you will find it very difficult to overcome them.

Let me now advert to another very grave consideration in connection with the Government plan—I mean the question of selection in the Army. The difficulties here are even greater than those in respect of retirement; and let me remind you again of the warning voice which we have received from the Royal Commission. The Commissioners alluded to their own recommendation that selection should be exercised in reference to the command of regiments; but they went on to say that the feeling against selection was so strong that the highest military authorities would take refuge in seniority, and if they could not choose the senior major of the regiment they would select the senior major in that arm of the service. My own belief is that, if you adopt the principle of selection in the Army, you will find in time of peace there will be, for the most part, a sort of average degree of merit pervading an immense number of officers to such an extent as to make it almost impossible for any man, however honestly disposed, satisfactorily to select out of that body of officers. What, then, would be the obvious course to adopt? To retire on seniority. The Commissioners say—

> "To abolish the purchase system, and to leave promotion to be made by seniority as the future rule of advancement, would, in our opinion, be a course of proceeding most injurious to the efficiency of the British Army."

I believe that every dispassionate man will concur in that opinion; and here, again, let me appeal to a precedent which is within my own knowledge—the precedent of the Navy. Have we heard no complaints of selection in the Navy? Has any man ever held the office of First Lord of the Admiralty without experiencing a painful feeling that, right or wrong, however anxious he might be to do justice, he could not select a man to command a ship without excluding many other deserving men? And we know the result is that the man who makes the selection must be content to submit to all sorts of imputations. The result has been practically to confirm the language of the Purchase Commissioners that, for the most part, the authorities at the Admiralty, in order to take refuge from these imputations, have had to come down to selection from seniority. Commands to ships are conferred to a large extent by seniority from the impossibility of making selections from such a number of officers. Then there is another argument on this question which we ought not to disregard. The Commander-in-Chief of the British Army has at this time—and has for some time had—to appoint by selection to one appointment, and to one only—that is, to the honorary colonelcies of our regiments. I see my hon. Friend the Member for the Border Burghs (Mr. Trevelyan) in his place, and I must say that I read with deep regret among many misstatements which disfigure the pages he has published on this subject one most painful imputation on His Royal Highness the Commander-in-Chief, to the effect that in making these selections for honorary colonelcies he has been guided by social rank and personal interest. A more unjust imputation never was made. I speak in the presence of my right hon. Friend opposite the Secretary of State, whose experience I have no doubt has been the same as my own. For nearly two years I was a party to every selection made by His Royal Highness the Commander-in-Chief. There was no appointment made without my consent. Sometimes His Royal Highness has consulted me by letter, but more frequently I went with him down the *Army List*, and over and over again I have known him pass over men of high social class and distinction, and pick out some officer solely on account of his professional merits. Is not this enough to show the difficulties of the system of selection? While I am vindicating, as I feel I ought to vindicate, His Royal Highness from these injurious and unjust imputations, I desire to disclaim on my own part any defence of the system of these honorary colonelcies, for I think the system is not a good one, and that it might very easily be improved.

Sir John Pakington

Let me now say a few words as to the social position and general merits of our officers—but they shall be very few, ample justice having been done to them by previous speakers. The idea that our officers are selected with reference to their rank has, I think, been completely exploded; and though the hon. Member for the Border Burghs has clung to that idea until he has brought himself to believe it, I think he is the only man who entertains the idea that there is anything like what he calls a "class monopoly" in favour of the officers of the British Army. The names of Clive and Havelock have been mentioned. Why, Sir, there is an officer at this moment holding the high and distinguished rank of Field Marshal in the British Army, who is the son of a tradesman of this City of London. I mention this to the honour of the man, to the honour of the system, and to the discomfiture of those who pretend for a moment that the officers of our Army are selected from a privileged class. What have been the services of our Army? In this debate I think we have not made enough of the fact that for 200 years the British Army has been officered under this system of purchase; and what have been its results? Have we not gained all our triumphant successes under that system; and has it not been under that system that our Army has placed this kingdom in the position of power and eminence which it now enjoys? I believe there is no Army in the world where the officers are more deserving of credit than the British Army, or where there is a better feeling between the officers and men. The hon. Gentleman (Mr. Trevelyan) would have the Army officered in a more professional manner. But I say that is in your own power. By a stroke of the pen you may prescribe any system of training you like, and make your officers what you please; but the system of purchase has nothing to do with it, one way or the other.

Now, Sir, I come to that more serious question, what is to be the cost of the Government plan? The hon. Member for the Border Burghs has made an extraordinary mistake on this point. He has told us that the cost of doing away with purchase would be, at regulation prices, £2,355,000, or at extra-regulation prices, £3,140,000. That is one of the many inaccuracies into which my hon. Friend has allowed his zeal on this question to hurry him. The right hon. Gentleman the Secretary of State comes down to the House and tells us that it will cost from £7,500,000 to £8,500,000—and I doubt the accuracy even of that estimate. I say this, of course, not only subject to correction, but inviting correction. I do not place implicit faith in the Paper which has been laid before us as the result of the actuary's calculation. I want to know, in the first place, what is the basis of that calculation. Before we can judge of its correctness we ought to know on what basis it is founded. In the Appendix to the Report of the Royal Commission of 1867, there is a most elaborate statement of the prices paid in every regiment, and the regulation sums to which officers of the Army would be entitled. The Army was not then so large as it is now, but the value of the regulation price at that time is shown to be upwards of £7,100,000; to which you have to add £3,000,000 as the value of the over-regulation price; so that I am forced to the conclusion that it would be impossible to carry out the intentions of the right hon. Gentleman and buy up the commissions of the Army at the over-regulation prices at a less cost than from £10,000,000 to £11,000,000. This is a question of fact, on which the right hon. Gentleman will be able to answer me. I have given the reason why I doubt the accuracy of the calculation that we can get rid of purchase in the Army for the amount of £8,000,000. But suppose we could do so, is there any evil in the system, or is there any advantage to be gained by doing away with it, which would justify this House in calling upon the taxpayers of England to provide that large sum of money? What is the answer of the Government? Their answer is "Yes." They say—"We cannot connect the Reserves with the Army—we cannot re-organize the Army—so long as this system of purchase stands in our way." With great deference to the high authorities who sit opposite to me I venture to question that statement. At all events I say you are bound to give us some better reason than we have yet received. I listened with great attention and great pleasure to the able speech of my right hon. Friend the Surveyor General of the Ordnance (Sir Henry Storks). I was glad to hear him address the House in so able a manner; but I must question one part of his statement. My hon. Friend gave us what I can only call a very vague reason for doing away with purchase. He said—"When we come to re-organize the Army the question of purchase meets us at every point." When my right hon. Friend has occupied a seat in this House for a little longer time I think he will learn that in discussing subjects of great national importance opinion cannot be changed by vague declarations. We want something a little more specific—we want to be told what are those points. We want to know where they arise and what is their nature, and in what way they meet us at every point. My right hon. Friend did go on to give us one of his points; and, with great submission to him, I venture to say there is nothing in it. The point he gave us was the question of cornet and ensign. What is the history of the question? It is a change which I suggested at the War Office, and in which my right hon. Friend the present Secretary of State concurred. He proceeded to effect it afterwards; and when he came to carry it out it is perfectly true that he was met by difficulties connected with the over-regulation prices, and found that it was not to be so easily arranged as he had supposed. He therefore appointed a Commission to consider the over-regulation prices. That Commission has reported, and my right hon. Friend is prepared to act upon their Report. I know of no reason whatever to prevent his carrying into effect that change with regard to cornets and ensigns at this moment without the slightest difficulty, or without proceeding in any way to destroy the purchase system. There was another reason assigned. I see my hon. and gallant Friend the Member for Truro (Captain Vivian) in his place, and I hope he will not be very angry with me if I say that in trying to tell us what one of those points was that met them at every turn, he made a statement which, if it had come from some young Member of this House making a maiden speech upon Army affairs which he did not understand, I should not have been surprised at; but coming as it did from my hon. and gallant Friend, when I heard it I could hardly believe my ears, and when I read it I could hardly believe my eyes. The statement was this—

> "It was, however, proposed that officers of the Militia should, under certain conditions, get commissions in the Line; and he should like to know how it would be possible to take officers under the non-purchase system, and place them side by side with officers in the Army, each of whom had paid £450 for his commission."

Is it possible that my hon. and gallant Friend gravely put that question to the House of Commons? Has he forgotten the Militia officers who passed into the Line in the Crimea, and who were all placed side by side with officers who had given £450 for their commissions? Has he forgotten that from day to day Sandhurst officers are passed into the Army without having paid a single shilling for their commissions?

Captain VIVIAN: I rise to explain. What I said was, that the only officers who could go to the Line from the Militia were officers who could afford to do so under the present expensive purchase system.

Sir JOHN PAKINGTON: I should like to know, Sir, whether my hon. and gallant Friend has forgotten the men who have been raised from the ranks and placed with officers who have come in under the purchase system. I do not wish to be severe upon my hon. and gallant Friend, with whom I have been so long associated on friendly terms, when I say that if he makes a slip of this kind he must take the consequences. But all I want to state is, that so far as the Government has yet informed us there is absolutely nothing in their arguments to support the pretence that you cannot re-organize the Army unless you do away with the purchase system.

I cannot, however, conclude my remarks upon this immensely important subject without taking some notice of what has fallen from the right hon. Gentleman opposite with regard to our Reserves and our Militia. On the subject of the Militia, I am sorry to be obliged to say that the statement of my right hon. Friend was not very distinct. He had a very complicated and long statement to make, and so far as I have been able to follow it, I really cannot understand what his intentions with regard to the Militia are. I find that his Estimates do not correspond with the right hon. Gentleman's speech, and that one part of his speech does not correspond with another. The Estimates show the full quota of Militia to be 128,000. In his speech he speaks of their number as being 139,000, and further of 45,000 men which were at some future time to be added. I hope when the proper time arrives that he will give us an explanation of how these apparent discrepancies arise. But my main point is that, in my humble opinion, the Militia of this country is the force on which we ought to rely as our best, surest, and cheapest Reserves—the force from which we ought to derive the military strength that may be necessary over and above the force of the Regular Army. I think we cannot attach too much importance to the proper strength of our Militia; and I must say that I am disappointed that the Government have not told us in their Army scheme of the present year that they intend to raise the Militia to a considerably larger amount than we have any intimation of at present.

After having indulged in so much criticism, I am glad that there are points upon which I am able to concur in the views of Her Majesty's Government. I entirely concur with Her Majesty's Government in the views which they have stated with regard to compulsory service. I cannot shut my eyes to the fact that there exists at present in the country much objection to this principle; but, on the other hand, I think that the Government are entirely right in retaining the power of compulsory service. It has long been the constitutional rule of this country with regard to the organization of our Militia, and I should blame the Government most severely if they did not retain that power. Whether my Friends on this side of the House are with me on another point, I know not; but certainly I do not agree with the proposals of my right hon. Friend and the statement of the Bill on the subject of substitutes for the Militia. [MR. CARDWELL: No substitutes are allowed.] No substitutes are allowed; and I cannot conceive why you should not allow them. The object of the Ballot, whenever you resort to it, is to get the best men to serve the Queen; and supposing the lot falls upon a man who, in consequence of his position in life and the various calls upon him, is unable to serve, if he will give money to another man to serve for him, I believe such an arrangement would be to the advantage of both parties and also to the advantage of the State. In the general principles of the Government in reference to compulsory service, however, I entirely agree; and I am disposed to agree with them with regard to the proposal to do away with the power of Lords Lieutenant. I think they are right to bring under one authority all the forces that serve with the Queen's Commission. As to the training centres which the right hon. Gentleman proposes to establish, I know not what his plan will be. We shall require to be informed how he proposes to arrange for the disposal of the troops when they are assembled at those training centres. I hope to hear where these training centres are to be; and I dwell on the matter with some stress, on account of the power which is proposed to be given by the Bill to magistrates at quarter sessions to levy local rates for the purpose of building barracks for the Militia. The subject has been talked over a good deal in this House, and if the Government depend upon the willingness of the local magistrates of this country to impose upon the rates the burden of building barracks for the Militia, deeply sensible as we all are of the evils of the billeting system, I very much doubt whether my right hon. Friend will find many counties —if I may judge from my own neighbourhood—ready to come forward to incur that expense. If we are to have training centres, where bodies of 15,000 or 20,000 men will be assembled, it is absolutely necessary that adequate provision should be made for their accommodation. Well, I ask when considering the question of the Reserve Forces, what are the changes which render the abolition of the purchase system necessary? I cannot find them. Several modes have occurred to my mind, by which subalterns could be passed from the Militia into the Line with advantage to both services, and without rendering abolition of purchase necessary. The proposal for a combined system of drill does not make it necessary to do away with purchase. The only remaining point where the right hon. Gentleman proposed to fuse the Militia with the Line was in regard to lending officers from the Line to the Militia. I think that is a very good proposal; but what has that to do with the abolition of purchase? Nothing whatever.

There remains only to be touched upon the serious matter of our Reserve forces. If I rightly understand the plan of the Government, as proposed by my hon. and gallant Friend the Member for Truro (Captain Vivian), we are to trust entirely to the new system of short enlistments to supply our Reserves, by which means it is calculated that, in the course of 14 or 15 years, we shall obtain an adequate Reserve. Well, Sir, I do not think we can afford to wait so long. Some more prompt and decisive measure is necessary, and I am disappointed that the Government have not brought before us some plan connecting more directly the Militia with the Line, and thus enable us in that direction to obtain our Reserves. I am disappointed, further, that the Government have given us no suggestion for utilizing half-pay and retired officers in connection with our

Reserves; and I am also disappointed at the obstinate silence of the Government on that which is one of the most essential conditions of the re-organization of the Army—I mean the absence of provision with regard to equipment and transport of troops; to the civil branches of the service; above all, to the artillery —in fact, all those arrangements without which it would be absolutely impossible in face of any national emergency for these large bodies of troops to take the field. I deeply regret that the Government have thought it right—unnecessarily as I think—to mix up the question of the re-organization of the Army with the controverted question of purchase. In my opinion they would have acted far more wisely if they had abstained from any reference at this moment to the purchase system. I wish they had given us a well-prepared scheme for strengthening the defences of the country, and then, if they had found practically in working out their scheme that purchase in the Army actually stood in the way of improvement, they could have come down to this House with far stronger reasons than they can adduce now for asking Parliament to do away with that system. But in proposing this crude scheme, with abolition of purchase as the head and front of their measure, they lead to the unavoidable suspicion that some political motive is at the root of it.

I am bound to say before I sit down that I agree very much with what fell from my noble Friend the Member for Haddingtonshire (Lord Elcho) the other evening, with regard to the Amendment that has been moved by my hon. and gallant Friend the Member for Berkshire (Colonel Loyd Lindsay). I am sorry he has directed his Amendment to one part only of this measure, instead of making it rest upon a wider foundation. On the other hand, I am entirely unable to agree with my noble Friend with respect to the vote he proposes to give—or rather which he proposes not to give—on this Amendment. So far as that Amendment goes, I fully agree with it, and if my hon. and gallant Friend proceeds to a Division he shall have my cordial support. But, Sir, I should hope it would be the opinion of all who share my views upon this subject, that whatever may be the decision of the House on the Amendment of my hon. and gallant Friend, this great question cannot rest there. I trust it will be discussed and re-discussed, and dealt with in every shape and form; for I cannot for a moment believe that, when it has been thoroughly debated, Parliament will agree to the adoption of what I believe to be the most extravagant proposal ever submitted to the House of Commons.

MR. TREVELYAN *: Sir, I must apologize for interposing between the hon. Member for Waterford (Mr. Osborne) and his audience; but the hon. Member can always make a full House, while I am anxious to take advantage of finding one, in order to lay before it a few facts and figures which have been somewhat left out of sight during the course of this debate. The right hon. Baronet (Sir John Pakington) who has just sat down has been intimately connected with the War Office, but he has also thrown his protection over the other great spending Department which he has administered in his day, and has made a speech not so much against abolishing purchase in the Army as in favour of instituting it in the Navy. But it would have been as well if he had confined himself to the services, and left me alone, for in the course of this discussion far too much has already been said about my personal relation to this question. One speaker after another has accused me in general terms of making misstatements. Of these charges the most definite is that brought by the right hon. Baronet—that I underrated at Edinburgh the amount required for the compensation of officers who had purchased. But on the occasion referred to I distinctly stated that I took the last available calculation made on the responsibility of the War Office. And where did that calculation see the light? Why, in the War Office Report, consequent on the very Blue Book which the right hon. Baronet has been thrusting down our throats for the last hour, telling us to listen to what he calls its solemn warnings. Then the right hon. and gallant Member for South Shropshire (Major General Sir Percy Herbert) complains that I talked of putting up commissions for sale to the highest bidder—the identical form of words, by the way, that was adopted by the Secretary of State for War. The hon. and gallant Member says—

> "The hon. Member for the Border Burghs had made a statement to that effect, not in the heat of debate, but deliberately in a speech, which he had

> subsequently printed and published in the form of a pamphlet. That was a total misconception of the purchase system as it was now in force. The truth was, that the senior officer on the list, whether he were captain or lieutenant, could not be passed over by any junior officer, provided he was possessed of the regulation price, if he chose to enforce his right."

Does the hon. Member, after the refutations of his statement made by the hon. Member for Bedford (Mr. Whitbread), and by the Judge Advocate General, continue to maintain that officers are in the habit of insisting upon their claim to promotion without being prepared to pay more than the regulation price? If you want military evidence to the contrary, take what General Sir John Macdonald, when Adjutant General, deposed before a Royal Commission—

> "There is no member of a regimental society so unpopular as he who proclaims his determination not to exceed the regulated price, thereby standing as an obstacle to promotion by purchase in the regiment to which he belongs."

And Sir Edward Lugard last year expressed his full concurrence in that view. If, then, officers insist on their nominal right, what becomes of that pleasant *esprit de corps* of which we have heard so much lately? But there is not a military man inside the House, or out of it, who is not perfectly well aware that, in stating that such a right existed only in name, I was stating the precise truth. The right hon. and gallant Member for South Shropshire has made an exception to the kind and moderate manner in which, on the whole, I have been treated by hon. and gallant Gentlemen. He is reported in the newspapers—and has not been at the pains to deny it—to have referred to me at a large meeting of his neighbours as a political adventurer, who abused the Commander-in-Chief in order to get office. The right hon. and gallant Member held a place about the Court during the late Administration. I suppose he wished to prove to the editor of the *Financial Reform Tracts* that the office was not a sinecure. But His Royal Highness is too kindly and worthy a gentleman to be grateful to the hon. Member for employing such weapons in his defence. A great deal has been said by the right hon. Baronet and others as to my allegation that the command of the Army is, to a great extent, a monopoly. A noble Lord twitted me with talking "aristocratic rubbish," while the right hon. Baronet took me to task for calling purchase an aristocratic system, and then, almost in the same breath, condemned the abolition of it as a democratic notion. But Lord Palmerston' who always weighed his words, said in Parliament that it was—

> "Desirable to connect the higher classes of society with the Army, and he did not know any more effective method of connecting them than by allowing members of high families to get on with greater rapidity than they would by mere seniority."

The right hon. Baronet cited the cases of Lord Clyde and Sir Henry Havelock as men of the people who had risen to high command under the purchase system; but it is quite unjustifiable to quote such men as witnesses against their own opinions. Havelock, in his 56th year, was still writing thus—

> "I was purchased over, I used to say, by three sots and two fools, so that I presume I must persuade myself that it is a pleasant variety to be superseded by a man of sense and gentlemanly habits. Be this as it may, the honour of an old soldier on the point of having his juniors put over him is so sensitive, that, if I had no family to support, and the right of choice in my own hands, I would not serve one hour longer."

Fortunately for his country, Havelock had a family to support. Lord Clyde's experience of the purchase system may be gathered from his evidence before the Commission of 1856. When asked—

> "Do you think that the system of promotion by purchase has an injurious effect upon the Army, by dispiriting many excellent officers who find themselves passed over?" he replies: "As regards those individuals who have been passed over, certainly. I have known very many estimable men, having higher qualities as officers than usual, men of real promise and merit, and well educated, but who could not purchase; when such men were purchased over, their ardour cooled, and they frequently left the service, or, when they continued, it was from necessity, and not from any love of the profession."

When purchase is abolished, we shall get many more Clydes and Havelocks, and we shall get them in the full vigour of their years. Thus, when brought to the proof, this indefinite volume of accusations of misstatement and misrepresentation resolves itself into three charges, as to all of which I have, I think sufficiently justified myself.

But now I pass to a more interesting question—the method by which the Government proposes to extinguish purchase. As regards the amount of money that will be required, many and very various statements have been floating about the House. It may safely be said that there never was a more stupendous fabric of financial assertion founded on a more frail basis of financial fact. The hon. and gallant Member for Tipperary, in the course of one and the same speech, put the expense of abolishing purchase at £8,000,000, £9,000,000, £10,000,000, and £14,000,000.

Colonel WHITE: I simply explained that it was extremely possible that the money might amount to £14,000,000.

Mr. TREVELYAN: The hon. and gallant Member, having no confidence in the Government calculation, really took the figures that came uppermost. It is, however, easy to ascertain what the maximum expense would be. A member of the leading firm of Army agents gave the entire sum invested in commissions at £7,668,000 for the regulation price, and £3,577,000 for the over-regulation price; in all, £11,250,000. I have had a careful estimate made out by a most competent authority, which places the amount at £10,871,000. Let us call it £11,000,000. But this £11,000,000 would only have to be paid in case the whole Army were disbanded at once—an absolutely impossible contingency. Large deductions must be made from the capital sum. No officer would get anything who remained on for the sake of the higher promotion, except that, when he became a major-general, he would receive something which would represent the purse which, under the existing state of things, would be made up in the regiment. No one would get anything who retired on full-pay, or who was invalided on half-pay. When we consider that, as an inducement to men to sacrifice the chance of receiving back their capital, the nation already offers annuities to the extent of £500,000 a-year in the shape of different forms of retirement, we shall not be at a loss to account for a difference of £3,000,000 between the gross liabilities of the nation and the actual sum which we shall eventually have to pay, which will be under—as I believe, very much under—£8,000,000. It must be remembered, likewise, that no one will cost us anything who dies, and no one who is killed in action will render us liable to more than the regulation price. It is to be hoped that the Secretary of War will re-consider his determination to limit the annual retirements. We should not keep unwilling officers; and we need not, inasmuch as the number of retirements will limit itself by a self-adjusting process. Every officer who leaves, in all ranks except the lowest, causes promotion which tempts others to stay. There is no reason to fear lest, as has been said, we should wake up one morning and find ourselves with no Army and no Consolidated Fund. The yearly payments made to officers leaving the Army will probably not exceed the annual £850,000 of the five years past; and, if more is required, we shall recover it by the diminution of our estimates for half-pay and full-pay retirement. I hope to be excused if I pass over what has been said by many who, in this debate, have appeared for the first time in the character of economists, and go straight to the remarks of the hon. Member for Warrington (Mr. Rylands) with reference to the extra-regulation prices; the determination to pay which, according to the Government Return, will involve us in liabilities to the ultimate amount of £2,821,000. The House is always inclined to believe what is told them by a man who believes it himself, and listened with deserved attention while the hon. Member described how the over-regulation prices had grown up, and how persistently the nation had tried to check them. He referred to the Royal Warrants of 1720 and 1760, that forbade such payments; to the solemn declaration of non-complicity in the practice exacted from officers in 1784; to the circular letter of 1804; to the successive penal Acts of 1807, 1809, and 1815. He showed the nature and multiplicity of the powers with which the nation had armed the military authorities, and which those authorities have always shrunk from using. It is much to the credit of the present War Minister that, as soon as he took the Army into his own hands, he refused to be a party to this state of things. When once, by subordinating the Commander-in-Chief to the Secretary of State, he had become responsible for the discipline and promotion of the Army, the right hon. Gentleman considered himself likewise responsible for its morality. He determined that the payment of the over-regulation prices should be either legal or criminal; that the law should be either altered or kept. He would not continue that system of collusion with illegality, dignified by the title of official non-recognition, which is now to cost us so dear. That defiance of the law which the Horse Guards, ever since there had been a Horse Guards, had acquiesced in and protected, the plain right feeling of an English statesman refused to tolerate for a day. The hon. Member for Warrington now protests against the taxpayers being called upon to compensate officers who, for their own convenience and interest, had deliberately violated the law. Now, Sir, if we refuse to pay these over-regulation prices, we must adopt one of three courses. The hon. Members for Warrington (Mr. Rylands) and Birmingham (Mr. Muntz) would have us altogether refuse to recognize these prices, either in the way of compensation or of repression. They would allow officers to make pecuniary arrangements among themselves; and, in fact, would permit the continuance of what is commonly known as a bonus system. They are of opinion that you cannot stamp out purchase. But the fact is that it has been stamped out of every other service under the Crown. Our present military system took its origin at a time when every public appointment had its selling value. Those hon. Gentlemen who read their "Pepys" will remember that Pepys was made Clerk of the Acts in 1660, and immediately received a bid of £500. So legitimate did the transaction appear to him that he "prayed to God to direct me what I do herein." Presently a former holder turned up in the person of a Mr. Barlow,

> "An old consumptive man, and fair complexioned. After much talk, I did grant him what he asked—namely, £50 per annum if my salary be not increased, and £100 in case it be £350."

A fortnight after, he gets an offer of £1,000, "which made my mouth water." Now, Sir, what is there peculiar about the conditions of military life which forbids us to hope that this bad practice, which was banished by the Revolution of 1688 from the Admiralty, the Law Courts, and the Civil Departments, can be eradicated from the Army? Why has it not been eradicated hitherto? Why have Royal Warrants and Acts of Parliament, circular letters and declarations on honour, denunciations of fine and imprisonment on principals and accessories, been all equally futile? For the simple reason that you were dealing with that which the Government recognized to be the subject of sale and barter. Once allow an article to be merchantable, and you cannot interfere to regulate its current value. You can no more meddle with the commission market than you can with the corn market. But extinguish purchase root and branch, give the officers no reason to think that they have been ill-used, and you will enable the military authorities effectually to employ their means of repression, when once you have enlisted on the side of the law the moral sense of the profession. While we are on the subject of economy, I do claim for Ministers that they are better economists than my hon. Friends the Members for Warrington and Birmingham. Why are we bent on extinguishing purchase? Because the Army is in pawn to its officers, and the nation wishes to get it back into its own hands, in order that officers may be reduced or changed about as economy and the requirements of the service demand. But if we are to recognize a bonus system—and, by considering it as a set-off against the non-payment by the public of the over-regulation prices, you do so recognize it—you actually leave the service as unelastic and beyond your own control as ever. We could not transfer officers from the Line to the Militia or Volunteers. We could not diminish the superfluity in one regiment, or fill up the vacuity in another. To deal thus freely would be to disturb the operation of the bonus system, and to cheat the men who had sunk their money under it. Which, then, are the better economists—the Government, which proposes to pay £8,000,000 to get rid of purchase, or my hon. Friends, who propose to pay £5,000,000 to keep it? For my own part, I absolutely refuse to vote not £5,000,000, but a single halfpenny, unless we buy out purchase entirely, at once and for ever. And now, Sir—and here I must ask my hon. Friend carefully to follow me, as I am anxious not to misrepresent him—it appeared as if the hon. Member for Warrington was in a manner carried away by the acceptance his remarks met from the hon. and gallant Gentlemen opposite—an acceptance which arose rather from a liking for a bonus system than from sympathy with his denunciation of the illegality of the over-regulation prices. The hon. Member said that he wished to show justice, and even indulgence, to the Army; and that he was not averse to paying down the regulation prices at once, leaving the over-regulation prices to take care of themselves. My hon. and gallant Friend the Member for Ripon (Sir Henry Storks) has explained with admirable force and clearness how, if this course was adopted, officers who had purchased would keep the promotion which they had bought, while they got back the money wherewith they had bought it. It would result in men eating their cake, and having it, too, on a gigantic scale, and at the expense of the public. Such a measure would likewise involve a complete stagnation in promotion from this day forth. Every officer who received his regulation price would forfeit his claim to retirement on full or half-pay, and would consequently have no conceivable inducement for leaving the Army. The Government scheme preserves to us all the boasted advantages of purchase as far as the present generation of officers are concerned, because it makes retirement from the Army the condition of getting back their money. But if we pay down money now, we shall have a far more serious block than exists in the Ordnance Corps, and we shall at no long time hence be forced to institute a system of special pensions, in order to clear our lists. The full value of the regulation prices is £7,668,000. The Government relies on being able to extinguish both the regulation and the non-regulation prices for something under £8,000,000. So that if we adopt the advice of my hon. Friends, we shall pay down at once very much the same sum which the Government proposes to spread over a quarter of a century, and we shall not get rid of purchase after all. But, if we make up our minds to have nothing to say to the over-regulation prices, a third course remains; and I hope that hon. Members will attend to what I am now going to say, because this is the course that would infallibly be adopted. My hon. Friend the Member for Warrington (Mr. Rylands) intends to move that the extra-regulation money should not be paid. I shall vote against him, being unwilling to punish officers for the shortcomings of their superiors. Some people—by no means favourable to the purchase system—hope that this Bill will be lost. My hon. Friend appears to be one of them, for he says that it is—

> "Far better to wait for a good measure than do wrong to carry it. In 1785, a statesman came down to the House and proposed the disfranchisement of 36 boroughs with compensation; but in 1832 a great number of rotten boroughs were disfranchised without any compensation at all."

Sir, this is not a fortunate instance to select of the advantages of procrastination. If, during the 47 years which elapsed between 1785 and 1832, there had been sitting in the House of Commons the representatives of 36 large centres of industry, our national history might have been changed; the National Debt might have been half of what it is; and we might be acknowledging at this moment that the £1,000,000 or £1,500,000 spent on buying up those borough interests had been the best investment we had ever made as a nation. We should do ill to wait, I do not say 47 years, but seven years, or even four, in order to reform the Army somewhat more cheaply. Long before 47 years have come to an end we shall have saved, by the abolition of purchase, very much more than as many millions. What is the state of the case? There has been a certain amount of popular interest taken in this question; but—though I am naturally the last to underrate the intensity of that interest—it cannot be denied that public feeling has not yet showed itself strongly enough to force the hands of a reluctant Government. The Ministry has anticipated the tendency of opinion, and for two reasons. It is not advantageous for the discipline of the Army that the officering of that Army should any longer be matter for general and vehement discussion. This consideration is said to have much weight with His Royal Highness the Commander-in-Chief. In the next place, the Government felt that the pecuniary interests involved in the purchase system were too delicate in their nature to commit to the hazard of a long agitation. The Ministers have in this measure steered carefully between injustice and undue concession; and there is great reason to think that the Army recognize that it is so. They have hit exactly the right time. Before this, the aristocratic element in our Constitution was so strong that the nation would have had to give too much. The popular element is now growing so strong that this is the last chance of our not having to give too little. Suppose the Bill lost—and if lost, it would be by the votes of those who wish to keep up purchase for itself, and not of those who wish to save the money that would be spent in paying for it—we should have every politician in the country eagerly discussing whether or not the command of our Army, with all the honours and emoluments appertaining to it, should be confined to some 6,000 families who can afford to purchase, or should be thrown open to every Englishman, Scotchman, and Irishman, who has education enough to succeed in an open competition. The question would be transferred from the floor of Parliament to the platform, and in times of political excitement we all know what the platform is. Public meetings understand broad and simple principles, but they are not places where you can refine or distinguish. Now, the existence of purchase is a question governed by the most broad, simple, and intelligible considerations; but the compensation for its abolition is, of all problems, the most abstruse and complicated. I doubt whether the most eloquent and precise of speakers—I doubt whether the hon. and learned Member for Richmond (Sir Roundell Palmer) himself—arguing in favour of the recognition of over-regulation prices, would not have his audience carried away from him by anyone who could string three sentences together, and who appealed to his hearers not to reimburse those officers, whose influence in the Legislature had just defeated a Bill which was to make our Army national, one farthing of what they had expended contrary to the express injunctions of the law. Quite apart from the question of purchase, the time must come sooner or later when a Government will be forced to say—"We are responsible for the defence of the country. Even if a Bill expressly abolishing purchase cannot get through Parliament, we still are bound to do what the defence of the country demands. We must ignore purchase, and appoint, promote, and transfer officers according to the exigencies of the time." What, Sir, would be the effect of such a declaration on the commission market? It would be like the City the day that the Gurneys failed—it would be like the Exchange at Liverpool, if a material superseding cotton was discovered a 3*d.* a-pound. But there is another contingency—the very contingency with a view to which we maintain an Army—a war. We all know the operation of a war upon purchase. In a regiment ordered on active service, no one may sell or go on half-pay. Officers are required in such numbers to replace those who fall or are invalided, that commissions become as plentiful as blackberries, and no one will buy an article which is a drug in the market. If long enough, and serious enough, a war sends the price down almost to nothing. We must expect reverses; and, with public opinion on the question in its present state, the first disaster would break down the purchase system like a pack of cards; and then—whether we gave compensation at the current prices of the day, or whether, in a fit of national wrath and injustice such a great crisis is apt to bring, we refused to pay any compensation at all—those who hate purchase, without ceasing to feel pride in our Army, would reflect with pain that the system had been abolished at the cost of the private fortunes of those men who were actually at that moment defending us in the field. The Secretary of State for War has thought it best to abstain from indicating the scale of pension which he proposes to institute when our Army has become a non-purchase force. I do not challenge the wisdom of keeping silence on this head; but hon. Members have supplied the omission by a series of the most alarming, but, happily, the most diversified prophecies as to the amount of retirement which will henceforward be necessary in order to keep up a due flow of promotion. The expense of a scheme of retirement based on sound principles can, however, be pretty closely ascertained, if only we are agreed upon what those principles are. The first condition of a good system is, that we should have a fixed establishment of officers, from generals downwards, exactly proportioned to the amount of active work that has to be done by each rank, and that we should promote only within that establishment. The next condition is, that no one should be allowed to retire permanently on half-pay, except officers invalided before a certain age—say 20 years' service. With this exception, half-pay should be confined to its legitimate function, that of providing a temporary maintenance for those who for a time are prevented by ill-health from performing their duties. The third condition is, that, when an officer is retired, his career should be closed. From that day forward, his pension should be subject neither to increase or diminution. The expensive anomaly of promoting on the half-pay list should entirely cease. The fourth condition is, that an age should be fixed at which officers may retire at their own pleasure, and another at which they must retire as a matter of course, if the Commander-in-Chief has no further occasion for their services. These are virtually the main principles of that system of naval promotion and retirement devised by the late First Lord of the Admiralty, which has given genuine and wide-spread satisfaction to the working members of the service, and is rapidly rendering our expenditure on pay and pensions endurable and intelligible. A scheme based on the above-named conditions was submitted to the War Office Committee of 1857-8—a Committee which was appointed to examine counter-calculations of Army reformers, and which, therefore, may be supposed to have reported on those calculations, I will not say in a hostile, but in a critical spirit. This Committee, whose conclusions on all other points have been referred to over and over again in this debate as so many revelations from Heaven, found that the retired full-pay for that part of the Army where purchase now exists, exclusive of the Household troops, would be £512,000. The same data were submitted to Dr. Farr, Government statistician and Fellow of the Royal Society, who computed that £359,000 per annum would be required in case all officers came to be major generals, and then retired on £800 a-year—of course an impossible supposition. But if officers who did not remain to succeed to vacancies in the higher ranks went out of the service as captains—the natural result of a system of selection under which no inefficient man could become a field officer—the cost of the scheme, according to Dr. Farr, would still be something under £400,000. Take the Ordnance Corps—the funds appropriated to retirement have hitherto kept the Ordnance Corps in a satisfactory condition. A lieutenant colonel in a purchase regiment serves, on an average, 23 years 8 months before reaching his rank. A lieutenant colonel in the Artillery at present obtains his rank in 23 years. A major in a purchasing regiment spends 18 years in attaining his majority. A first captain in the Artillery gets his rank in 16 years. What, then, is the sum of money expended in producing these results? The full-pay retirement for the two corps amounts to £68,400 per annum. There were some other payments, but the sum total must be within £90,000 a-year. There were, after some deductions, 900 officers whose promotion is kept in a healthy condition by a retirement of £100 a-head—a result fairly borne out by the analogous case of the Royal Marines. Now, the officers of the purchasing portion of the Army borne on the English Estimates are, as near as possible, 4,000. A rule-of-three sum gives us £400,000 a-year as the amount of retirement which these officers would require when their conditions of service were assimilated to those of the Ordnance Corps. Placing these various calculations side by side, we may venture to estimate the probable cost of retirement at a maximum of £500,000—the exact figure given by my hon. and gallant Friend (Colonel Loyd Lindsay) who moved the Amendment which we are now discussing.

Those hon. Members who have followed my hon. and gallant Friend in support of his Amendment, have been content to accept his estimate of £500,000 as the future cost of retirement, with the exception of the noble Lord the Member for Haddingtonshire (Lord Elcho) who prefers to place it at double the sum. But this debate has been characterized by an omission so glaring as almost to amount to a phenomenon. Hon. Gentlemen, at the same time that they complain that the abolition of purchase will saddle us with a retirement of £500,000, entirely ignore the fact that we are actually paying at least £500,000 for retirement every year of our lives. At this very moment we, or our Indian fellow-subjects, are spending upwards of £160,000 on the honorary colonelcies, which are nothing more or less than pensions arranged on an inequitable, clumsy, and extravagant system. Between £60,000 and £70,000 a-year goes to unemployed general officers of the purchasing corps. £66,000 a-year falls to the share of the same branch of the Army for full-pay retirement; £20,000 for distinguished services; and about £190,000 for half-pay. During the transition period the two systems may overlap, and cause a temporary increase of liabilities; but, as a matter of course, we shall utilize under the new state of things the funds provided for the retiring list of the old. What have the opponents of the Government to put against these arguments of indisputable analogy, except certain awful financial warnings uttered by the noble Lord the Member for Haddingtonshire? But the measure of that noble Lord, as a financier, has been taken by my hon. and gallant Friend the Member for Truro (Captain Vivian), who told us the results of a comparison between the Government scheme of Reserves and that advocated by the noble Lord. It appears, according to high actuarial authority, that by the seventh year the Government plan would have produced 61,000 trained men, while the noble Lord's plan would have produced none; which is pretty well for an alarmist, who urges that, in these days of European capitals being occupied, everything except the immediate provision of men is a secondary question. The Government Reserve, when full, would cost something over £1,250,000 a-year. The noble Lord's would cost considerably over £2,500,000. The Government plan would involve us in a liability for pensions of £882,000 a-year, as against £1,300,000 a-year, which we now pay; while the noble Lord's plan would cover the country with over 500,000 pensioners, costing —if we treated them with a rigour bordering upon stinginess—hard upon £9,500,000 per annum. The noble Lord would produce a more permanent effect upon the legislation of this country if he would spend over his figures of arithmetic some of the time which he now devotes to his figures of rhetoric. If his computations of the expense of abolishing the purchase system were of a piece with the economical side of his Reserve scheme, it is not to be wondered at that he succeeded in frightening those unhappy miners who, at every political crisis, are trotted out to protest against the liberal questions of the day. But I will venture to say that these working men will succeed no better in saving purchase than in averting household suffrage. The first portion of the noble Lord's speech was listened to by the House with the pleasure which men always feel in hearing what they all think smartly put. The noble Lord divided us in classes, according to our opinions on foreign policy, and then proceeded to detail the deficiencies of our present Army system. In his remarks on this head we were all disposed to acquiesce. We were agreed about the utter want of relation between military expenditure and military performance. We were agreed about the unfortunate distinctions which exist between the Royal Army, the constitutional Militia, and the national Volunteers, with all the consequent absence of combined action and organization. We agreed to a great extent with his remarks about our system of supply, and to a very great extent, indeed, with the desire which he expressed for the localization of our Army—a measure which would solve the difficulties of recruitment, of the exchange of officers, of commissariat, and, in my opinion, of promotion. But many of us go farther than the noble Lord. We see that the country has spent £300,000,000 on her military armaments in the last 20 years: that the average of our military budget has risen from £8,000,000 to £15,000,000. We see the various classes of our community vying to throw upon each other's shoulders the burden of taxation. We see the taxpayer, after making unheard-of efforts, taunted with being defenceless, and accused of niggardly parsimony by the sworn adherents of that very system under which we have spent more money, with less to show for it, than any nation in this world's history. And, before spending any more, we resolved to lay the whole case before classes which have hitherto taken little or no interest in their own Army; to appeal from the few to the many; to make the question of our defences not, indeed, a party, but a political question; to persuade the country to take stock of its military resources, and, when it has looked the matter fairly in the face, to try and knock out a better system for itself. The Government has placed itself at the head of this movement; and, as I have told the noble Lord how far I agree with him, I will now tell him where I begin to disagree. I have more confidence than he in the judgment of the

Government in believing the abolition of purchase to be a necessary preliminary to Army re-organization. When purchase is once abolished, I have more confidence than he in the intentions of the Government with regard to that re-organization. And I have much more confidence that the state of Europe will give the Government time to carry out those intentions. The noble Lord has been very great on his division of military questions into primary and secondary, and told us that one of the secondary questions was the tenure of the Command-in-Chief. If that view of the operation of the virtually permanent tenure which I had the honour of laying before the House on Tuesday fortnight was correct, it can hardly be called a matter of second-rate importance whether, in the event of war or invasion, the fortunes of the country were intrusted to an officer such as the Duke of Wellington was in 1815, or to an officer such as he was in 1850. On this head the noble Lord entertained us with an anecdote respecting a young Army reformer, who wanted to get rid of the Duke of Cambridge because he had shown such minute acquaintance with every point of military detail, and because he was too powerful; and his reason was—

> "Because, under our Constitution, we are liable to have a Secretary of State who is not very well versed in military affairs, and therefore he becomes a mere tool in the hands of the Commander-in-Chief."

Whoever this Army reformer was, he might have defended his opinion by the authority of the Duke of Wellington. On the occasion of the consolidation of the War Office, in 1838, the Duke wrote thus to Lord Melbourne —

> "It is not uncommon to see the command of the armies of other countries intrusted to the Ministre de la Guerre. But these countries are each governed by a despotism. The Ministre de la Guerre is responsible for his acts not to a House of Commons, but to the Sovereign himself. The concentration of all the authority in one hand is convenient, and gives strength and security to the Government of the Sovereign. But in our case, the concentration of authority is in the hands of an officer of account, responsible not to the Sovereign, but to the House of Commons."

It is evident from this passage that the objection of the Duke to the subordination of the Commander-in-Chief to the Secretary of State is a political, and not an administrative objection. The noble Lord thinks the salary of the Military Secretary at the Horse Guards a secondary question. Sir, it is because questions of this nature have been made secondary questions, that, while our efficiency is standing still, our expenditure is growing from 10 years to 10 years at a rate that is rapidly disgusting the people with the very name of an Army. It may be a vulgar sentiment, but I hold it to be absolutely wrong that—at a time when we are discharging hundreds of clerks and thousands of artizans, who ask for nothing better than to be permitted to go on working—we should be paying £3,000 a-year to a public servant who, according to the official description of his duties, is an amanuensis and a mouthpiece; and that another public servant, in addition to a handsome salary, should, between the ages of 32 and 52, have drawn £40,000 from a source, the existence of which is defended on the ground that it affords pensions to old and meritorious officers. The noble Lord will have it that purchase is a secondary question, and asks whether anyone would think of abolishing purchase in the event of a crisis such as France has been passing through within the last six months. But this consideration tells equally against all re-organization whatsoever. According to General Trochu, what were the faults which lay at the root of the French disasters? The age, venality, and intemperance of a large part of the re-engaged men; the depressing effect produced on the mass of the Army by the existence of the *corps d'élite;* and the luxury and personal ambition of the officers, fostered by the tone and habits of the Empire. But when war was declared, and Germany was mustering behind the frontier, who would have dreamed of choosing that moment to dismiss all the *vieux grognards*, break up the Imperial Guard, and set about recalling the officers to a spirit of Spartan hardihood and self-sacrifice? There is a time for all things; and that was not the season for France to attempt eradicating the inherent vices of her military system. But no one, except those who dislike reason and economy, would deny that we have ample leisure to re-arrange our Army on a rational and economical basis. In order to effect this result, purchase must first be got out of the way. The question of the effect of that institution upon the character of our officers has been so threshed out both in this House and in the country, that I will leave it to the chance of an incidental notice, and will pass on at once to show how nothing short of the abolition of purchase will facilitate, and in some cases render possible, the reforms in our military organization which the changed conditions of warfare demand. To begin with, the whole island should be re-divided into military districts. The present districts were arranged in days when our danger lay in one quarter only; and consequently the South of England is minutely subdivided, while vast regions in the North, with their enormous manufacturing population, are embraced under a single command. Each district should be the seat of an Army corps, with a general at its head, charged not only with the discipline, but with the entire equipment, supply, and finance of his command. The local staff should be responsible for the issue of stores, and for all contracts that can be made advantageously within the district; while the functions of the central office of Control should be confined to keeping the local magazines full, and to a general economical supervision. Thus, and thus only, should we be enabled to introduce the much-admired Prussian system of supply. But how are we to get generals willing and able to undertake these severe and intricate duties, and how are we to surround them with competent subordinates? Mr. Fonblanque, on this point a weighty authority, says in his treatise on the *British Army*—

> "So rarely, indeed, are military officers found to possess the requisite knowledge of finance and account, that it is usual, in large operations, to attach a commissariat officer to the head quarters of the Army in the field, to perform this part of the military secretary's duties, and to relieve him and the general commanding from a responsibility which, partly from their time and attention being absorbed by their more immediate duties, and partly from want of the requisite training, they are seldom in a position to meet."

The exigencies of the time demand from military men continuous, laborious, and most diversified services. The modern officer should be a professional man in the sense that a surgeon or a civil engineer is professional. But the Army can never be a profession, in the true sense of the word, as long as the purchase system exists. The essential conditions of a profession are, that a man should live by it, and should look forward to rising by exerting himself in it, and by displaying professional knowledge and professional capacity. Does the most ardent supporter of purchase maintain that these conditions exist in our Army as at present constituted? The great change which has come over the conduct of war has given increased importance to scientific training; and this holds good in no Army so much as in our own. Whatever results may arise from the adoption of short service, and the bettering of the condition of our private soldiers, we still can never hope to receive as plentiful a supply of recruits as is possible in countries where conscription exists; and we must, therefore, make up for being weak in the number of our men, by being strong in the scientific acquirements of our officers. But such acquirements it is simply impossible to demand from men who have sunk large sums of money in their commissions at an interest so small that no sane man would regard the transaction as a profitable investment. But, if we cannot obtain captains and administrators of the right stamp by purchase, may we hope to get them by seniority, whether with a bonus system or without it? *The Pall Mall Gazette*, a journal which has consistently for years past pressed for radical changes in our Army, remarks that, out of 12 important commands in the United Kingdom, only one is given to a general of the scientific corps. I candidly own that at first sight this struck me as an instance of favouritism; but, on inquiry, I was satisfied that the cause lay in the advanced age of the general officers in the Ordnance Corps. Nor would a bonus quicken promotion to the extent of providing us with young commanders, as was proved in the old Indian Army by the selection of men of the lower ranks to lead brigades, and even armies, at a pinch. Herbert Edwardes won battles as a lieutenant, and Nicholson—if recollection does not deceive me—died a captain. If seniority and purchase fail to provide us with what we want, resort must be had to selection, on the plan sketched out by the Secretary of State in his speech on the first reading of the Bill—a plan which is virtually in accord with Prussian practice. There the relative merit of every officer, from highest to lowest, is known to the general Staff at Berlin by confidential reports. The fit men are promoted; and the man who finds himself repeatedly passed over retires. The promotion of the junior officers is regimental; and an officer who shows marked ability is pushed on very rapidly. And yet we are for ever having it thrown in our teeth, that General Blumenthal said to Dr. Russell, of *The Times*, that he would gladly, if it were possible, see purchase introduced into the Prussian Army. And we are told by the hon. and gallant Member for Berkshire, that the French Marshals in the Crimea were in the habit of congratulating him on belonging to a country which possessed so valuable an institution. The French military authorities have now an opportunity of giving practical effect to their opinions. They have to re-make their Army. The ground is clear, and they may lay what foundations they like. We shall see within the next twelvemonth to what extent the compliments which they paid my hon. and gallant Friend on his purchase system were due to their national courtesy. Sir, these foreigners fool us to the top of our bent. We shall hear next that the Prussians are minded to borrow our Army agents, at an annual cost of 250,000 thalers a-year, and to pay 20,000 thalers to a Military Secretary for acting as mouthpiece and amanuensis to General Von Moltke. We have had the successes of the German arms referred to triumphantly as an illustration of the advantages of having an Army officered by aristocrats; and this argument is employed in defence of purchase by the very same Gentlemen who can find no words strong enough to express their disapprobation of me for calling purchase an aristocratic institution. But the truth is, that there is very little in common between German aristocrats and the sort of plutocracy which officers our armies. The hon. Member for the Elgin Burghs (Mr. Grant Duff), in an apothegm which was much in men's mouths during the autumn, told us that Prussia possessed an upper class barbarous enough to esteem the Army the only calling that became a gentleman, and poor enough to work at it as in a profession. Sir Charles Napier expressed the same idea in characteristic phraseology, when he affirmed that the best officer was a needy gentleman. In fact, though brilliant exceptions are not far to seek, mere wealth is the very worst average test of the qualifications for a laborious calling. When appointments are given by open competition, wealth will retain its one legitimate privilege—that of handicapping its possessors with the advantage of the best education that money can buy.

Sir, the discussion that has been going on during the last six months in every journal throughout Great Britain practically resolves itself into this question—"What is the cheapest way of getting the country defended in such a manner as to guarantee us against panic?" Under the present system, that end could only be obtained by an annual expenditure so enormous as to render the change of system a foregone conclusion. The solution of the problem lies in the conversion of our Militia into a reliable force. For this purpose each regiment of the Line should be attached to a particular neighbourhood, and the Militia of that neighbourhood should be incorporated with it as a second or third battalion. According to the Estimates of the forthcoming year, a force of 130,000 Militia is to cost us £950,000. If efficient, it would be cheap at twice the sum; and, to make it efficient, every battalion should be officered in part by officers of the Regular Army, and in part by young men of the locality who were willing to earn their commissions by devoting at least a year of continuous work to learning their business under the teaching of their professional colleagues. That once accomplished, the nation would demand of them, and pay them for, nothing beyond their services in time of war, or during the annual manœuvres. Hon. Gentlemen who defend purchase dwell with frequency, and it must be owned with some justice, on the allegation that it gives us a rapid succession of young men with dash and courage, who, though they lack the scientific training requisite for high commands, for the most part leave the Army before reaching the rank for which that training is an indispensable qualification. Under such a system as I have described, we should get officers of exactly the class which purchase professes to give us, and with this in addition—that we should get them for next to nothing, instead of having to pay for them as if they were educated up to the highest Woolwich standard. It is true that this pay does not go into their own pockets. So much money is invested in commissions that the average income of purchasing officers in the infantry is under £50 a-year; while a lieutenant colonel not only serves for nothing, but pays £15 a-year for the honour of commanding a regiment. But if our officers get little, they had best cost little. At present, under the inexorable demands of purchase, the pay of our commissioned ranks is blest neither to the country that gives nor to the officer who is conventionally supposed to receive. The impossibility of demanding more than a certain quantity and quality of service from men who have purchased the right to serve, has led to our Army being largely over-officered. In a Prussian regiment on a war footing, the officers are to the men as 1 in 45; in France, as 1 to 50; in Russia, as 1 to 40; in Austria, as 1 to 52; and in Italy, as 1 to 38. England has no recognized war complement; but in a battalion going on Indian service, our officers are to our men as 1 to 31. Abolish purchase, and every battalion of the Guards and the Line could spare enough captains and subalterns to suffice for the complement of Army officers in a regiment of Militia. Let hon. Members think what the expense would be of enrolling seven or eight fresh officers for every battalion of our Militia, instead of drawing them gratis from the almost inexhaustible magazine of the Line and the half-pay list. Perhaps a rough calculation will assist them. The average pay and allowances of an officer of the Line amounts to £244; of the Guards, £310; of the Cavalry, £305; of the Horse Guards, £325. Let us take £260 as the figure. To provide seven Army officers for 120 battalions of Militia would cost the country £218,400 a-year. But if you deduct five of every seven from a battalion of the Line, and transfer two from the half-pay list, you will perform the same operation for nothing, and under this single head you would make a saving that would go far to pay the cost of extinguishing purchase, extra-regulation prices and all. But at present the authorities are unable to transfer a Linesman, and still less a Guardsman, into a Militia regiment, without inflicting on him a fine to the full value of his commission; unless we are prepared to disburse on every successive occasion the customary value of the interest which we are disturbing — a policy by which we should, in the course of not very many years, have paid by driblets the sum now proposed to be paid once for all, with nothing to show for it except a system of purchase more inveterate and more hopelessly complicated than ever. While purchase lasts, it is practically impossible to consult the interests of the public service, because they are more often than not at variance with the pecuniary interests of the individual. You cannot remove an incompetent lieutenant colonel without mulcting him heavily in addition to the loss of his position; and a corps may be allowed to deteriorate because the authorities cannot find the heart to confiscate the property of a well-meaning man who has not been endowed by Providence with tact or wisdom. But abolish purchase, and without spending a farthing, we may equip every Militia battalion with a permanent complement of professional officers; and then, if embodied at the first alarm of a war, by the time an invasion comes we shall have an auxiliary force in every respect fit to stand shoulder to shoulder with our Regulars in the field. Sir, it is not necessary to spend time in arguing for the adoption of short service in our home Army. That the life of barracks and the camp is favourable to the health of the young, but eminently unsuited to men somewhat advanced in life, is shown indisputably by the tables of mortality. In civil life, between the ages of 20 and 25, 8 persons die yearly in 1,000; and in military life 5. When we come to those between the ages of 35 and 40, 11 in 1,000 die yearly among civilians, and among soldiers 15 in 1,000. Between 20 and 25, 22 per cent of the population are married men; and between 35 and 40, 81 per cent—a strong argument in favour of sending back your soldier to the life of a citizen before the age when a sensible man thinks of marrying. The heaviest remediable cause of expense on our Estimates is the pension list for the non-commissioned ranks. At present we spend £1,300,000 a-year on an item which, under a wiser system, would show half that amount; and before many years are out we shall be saddled with pensions to the amount of upwards of £2,000,000, on account of the great number of old soldiers who were encouraged to re-engage some time back under the inspiration of a fit of military bigotry. Since, then, short service is demanded alike by physical, moral, economic, and military considerations; we shall require officers who not only know their business, but who are ready to spend their whole time in turning into soldiers successive batches of recruits. But a captain of light cavalry, or a lieutenant colonel in the Guards, has paid his £5,000 or £8,500 in order to secure far different work under much pleasanter circumstances. In altering the duties imposed on officers, we lower the value of their commissions. And therefore in order to guarantee them against a certain loss, the Government places itself towards the holder of the commission in the position now occupied by his brother officers, and undertakes to buy the article at its present value whenever he thinks fit to sell it, however much the price may have fallen in the interval in consequence of the changed conditions of service which the Government has enforced.

The existence of purchase is a practical bar to promotion from the ranks. The noble Lord the Member for Haddingtonshire will have it that the war on the Continent has taught me—to use his own expression — that promotion from the ranks "won't wash." It is highly undesirable that elderly sergeants should look forward to a commission as the sure reward of a respectable career; but it would be much to the advantage of the service and the country that young men of spirit, who had mastered their calling, and proved themselves capable of command, should not find themselves excluded from rising in their career, because they had begun that career in the ranks. We are told that, if such men become officers, their soldiers will not follow them in battle; but we are not bound to believe that Englishmen are brave because they are commanded by officers who have purchased their commissions, any more than that they are religious because they are preached to by clergymen who have purchased their livings. But the noble Lord, while condemning promotion from the ranks, claims as one attribute of the purchase system that it freely admits of such promotion, and, in support of his assertion, quotes me as having said that 100 commissions were given to non-commissioned officers during the Crimean War. From the first year of the Crimean War to the last year of the Indian Mutiny, not 100, but 483 commissions were so given. But during time of war purchase breaks down, and the noble Lord's argument with it. In the year 1855 purchase reached its lowest point. Only one-fourth of the commissions went by sale. In that year 148 soldiers were promoted from the ranks. In the years 1861 and 1862, purchase reached its highest point, and three-fourths of the commissions went by sale. In those two years the promotions from the ranks numbered respectively three and four. These figures prove, beyond all question, first, that purchase tends virtually to exclude private soldiers from advancing in their profession; and, next, that the theory of our troops not following officers selected from the ranks does not wash in the hour of stress and danger. Then the noble Lord tells us that purchase is not incompatible with a large resort to appointment by open competition. I should like to see the effect that would be produced if, without abolishing purchase, the authorities threw open, year by year, half of the 400 or 500 first commissions to open competition. It would affect existing officers precisely as the holders of any article whatsoever would be affected by the falling off of half the demand. I cannot understand how hon. and gallant Gentlemen can, without consternation, hear the noble Lord encouraging the Government to deluge the service with men who do not intend to buy. But we have a practical test in the events of the last 18 months. The Royal Commission on Military Education is

> "decidedly of opinion that the competitive examination for entrance at Sandhurst should be as free as it now is at Woolwich."

Why was not this recommendation adopted by the Minister of War? Evidently because he could not carry it out in justice to established interests until he had previously abolished purchase. The hon. and gallant Member for Berkshire thinks the entrance examination at present existing a sufficient guarantee against incompetency. But the experience of every civilized nation has proved that any examination not rigidly competitive soon degenerates into a mere form. Mr. John Stuart Mill tells us that a mere pass examination never, in the long run, does more than exclude absolute dunces, and explains, as clearly as he explains everything, the steps by which a fixed standard of proficiency "gradually sinks to something contemptible." The hon. and gallant Member insists much on the approval of the Commander-in-Chief being required before an officer obtains his promotion by purchase; and the noble Lord the Member for Haddingtonshire proposes to withdraw the letter of service of that high official if he fails to exercise his duty of rejection. Mr. Fonblanque truly says that

> "the regulation is a mere form. Certificates of fitness are given as a matter of course, and it is to be doubted whether there is an instance on record of an officer, in a condition to comply with the ordinary conditions of purchase, being refused promotion on the grounds of incapacity."

This, perhaps, puts the case somewhat too strongly; but it is quite certain that the military authorities cannot spoil the market of the selling officer by looking too closely into the qualifications of the individual who wishes to buy. You cannot introduce moral and intellectual considerations into the traffic in commissions any more than into transactions in piece-goods and pig-iron. The hon. and gallant Member for Berkshire urges that there are qualities required in an officer which no examiner could bring to light, and fears lest we should shut out the very men we want by judging all by one uniform standard of bookwork. But we must judge them by something; and all the talk we have heard about bookworms, and having a good seat across country, comes to this, that in the opinion of those who indulge in it the possession of a great deal of cash is a better test of capacity for action than success in a competitive examination. I protest against the notion that courage, decision, and self-control, and mental and bodily activity, are more likely to co-exist with wealth and backstairs' influence than with industry, intelligence, and acquirements. I have hardly ever known a time when the sixth form at Harrow and Rugby did not contain more than its due proportion of the cricket and foot-ball elevens. A great deal too much has been said about the word "gentleman;" and in harping so long on this string, hon. and gallant Gentlemen have given an unjust idea of the tone which prevails in the profession that they undertake to represent. The first characteristic of a gentleman is that he never troubles his head as is whether he is a gentleman or not; and the second, that he scorns to gauge worth by money, and to say that the man who becomes a good soldier, because he is rich enough to make it worth his while to enter a profession in which the good things go by sale, is more likely to be a gentleman than the man who comes in by the gate of open competition. It is not the influence of purchase on the regimental system that binds our officers together. It is the national character, which never fails to breed fraternity and fidelity in danger. Speaking of our countrymen, Emerson says—"In war and in politics they hold together by hooks of steel;" and, whether in ship, battery, or regiment, men of British race will always be loyal to their comrades and their duty. The hon. and gallant Member for Berkshire is very much afraid that, when purchase is gone, an officer may be driven to induce his friends "to hang about the lobbies of the Commander-in-Chief, or, worse still, to intrigue among political Members of this House." Sir, I do not see much to choose between haunting the lobby or the broker's office. Nothing can well be worse than a system which diverts the attention of our young officers from the study of their profession, and directs it towards what my hon. Friend the Member for Bedford (Mr. Whitbread) calls "the low, paltry considerations of abominable money questions." And, with regard to apprehensions of political intrigue, let hon. Members consider what is now passing in the United States. What is the crying evil of the American Constitution—the root of all that is bad in the present, and ominous for the future? Why, the corruption of the public service from top to bottom, owing to the all-pervading influence of political jobbery. Ever since, in an evil hour, a newly-elected President proclaimed that the spoils were for the victors, efficiency, public spirit—even, it is to be feared, honesty itself began rapidly to disappear from Department after Department. And what is the remedy which meets almost universal favour in the eyes of Americans who love their country better than their party? Why, open competition. That, and that alone, cuts off the supply of the materials for jobbery, by admitting men into the service of the public on their own merit, and not in the capacity of constituents, or of the sons and nephews of Ministers. In one

American Department only, in the Census Office, is political influence unknown; and Census clerks have for a long time back been appointed strictly by open competition. Hon. Members, especially those who are afraid of our institutions being Americanized, would do well to read an article on Civil Service Reform in the January number of the *North American Review*. They will find that, as our Constitution becomes more popular, we recede from instead of approaching nearer to the special evils of American administration, and that according to the confession of Americans themselves. The very able author of this review, speaking of the proposal to introduce free competition, says distinctly—

> "There should be no attempt to disguise the fact that it is the purpose of this theory of administration to prevent the public service from being used in any manner or to any extent as a means of party success."

He quotes, with envy and admiration, the declaration of our present Chancellor of the Exchequer, made last autumn at Elgin, with reference to the great change in the mode of appointing to clerkships—

> "We have thrown open," says the right hon. Gentleman, "the whole of the public service not to the more priviledged classes, but to the nation at large. I do not say that competition will point out the best person. But it has this advantage, that it excludes an enormous quantity of incapacity which has hitherto found its way into the public service. I think the greatest benefit of this measure is that we have withdrawn patronage from the dominion of party, and have given it to the people, and it will be the people's own fault if they do not keep it for themselves now they have got it."

The Government now propose, with regard to the Army, to withdraw patronage from the dominion of wealth, an influence which is not one whit less demoralizing or less conducive to good administration than the influence of party. We have been told that an officer will be hurt and sore at seeing another promoted over his head on the ground of merit; but that no one feels offended when passed over on the score of his own poverty. But, Sir, I deny that poor officers are fairly represented in Parliament. Constituted as this House is constituted, we shall always hear much of the views held by those who profit by purchase, and little or nothing of the views of those who lose by it. Within the last six months I have received 70 or 80 letters from officers still serving or recently retired, which incontestably prove that the purchase system bears very hard upon many of our best and most zealous servants, some of whom are still hoping on against hope, while others have broken down in the struggle, and have thrown up a career which they love as well as the wealthiest of their comrades. After the great indulgence which the House has shown, I dare not enter upon an enumeration of the vast economies which the abolition of purchase will render possible, and the demand for which no Government will henceforward be able to resist. The Army agents, with their £40,000 a-year—in itself more than the interest of one of your millions—must disappear from the Estimates when the only pretext of their public recognition is removed. The special pay and allowances of the Household regiments, which at present cannot be touched, from their connection with the exceptional prices of commissions in those regiments, will very nearly account for the interest of another million. But savings on a much larger scale will result when we are enabled to fix working establishments of officers throughout every rank of the Army. The evidence of the Duke of Wellington before the Select Committee on Army and Navy appointments of 1833 clearly brings out the fact that the inflation of our lists in the higher grades directly results from the operation of purchase, which robs the rich of their money, and the poor of their promotion, and burdens the public to indemnify both. In the item of "Generals" alone, we may fairly expect to save £180,000 a-year. Every hon. Gentleman who votes for the second reading of this Bill will help to lay the foundation of a system under which the nation will at length get its worth for its money, and will do as much as in him lies out of the nettle panic to pluck the flowers of retrenchment and reform.

And now, Sir, I will recapitulate the leading points of that reform which the abolition of purchase will enable the Government to effect. The re-division of the country into districts, and the institution of local recruitment and local military administration. The amalgamation of the Line and the Militia, and the formation in each Militia battalion of a solid nucleus of professional Army officers. The establishment of short service as the rule in our Army. The extension of the command of that Army to the nation at large by means of free competition. The restriction of each grade to a fixed number of working officers, and the arrangement of a certain and impartial, and therefore economical, system of retirement. If these results follow, we may in coming years look back upon the Vote of next Thursday with satisfaction proportioned to our tenderness for the national pocket. But if the Government does not utilize their opportunity in the direction, and to something like the extent, indicated—I had rather put what I have to say in the form of a promise—I can assure right hon. Gentlemen opposite that there is not one in fifty of those who have advocated, or approved of, the abolition of purchase who will not do his best to give them a chance of trying their hands at military administration. When my hon. and gallant Friend the Member for Tipperary (Colonel White) rallied Ministers for shaping their policy with reference to the action taken by individuals, he was of course joking, though he was joking well, and with a certain verisimilitude. But putting that notion aside, I fully agree with the hon. Member for Bedford (Mr. Whitbread) that this Bill is not framed as a concession to any section of any party whatsoever. It is evident to all who have closely watched the Secretary of State for War during the last two years, reading his conduct by the light which this measure throws upon it, that from an early period of his tenure of office he has entertained a growing belief that the abolition of purchase was a necessary prelude to any change for the better in our Army. And, while the subject was in his mind, the events which took place on the Continent during the autumn and winter, and the public opinion consequent on those events, afforded him at once a motive and an opportunity. The considerations which actuate Ministers are doubtless such as can only come home to men intimately acquainted with the principles which should govern administrative organization; but when the Government announced its determination to act on those principles, the announcement met with a response from the common sense of the people of this country, who had long ago arrived at the conclusion that no good could come out of a system under which a public trust was bought and sold. The price to pay is heavy; but it is the price at which the nation buys back her own Army. There are hon. Gentlemen who would have us spend this sum upon the materials of war—on guns, powder, and earthworks, instead of sinking it in an alteration of our institutions. But guns rust, and earthworks crumble away, while institutions endure for ever. The materials of war are necessary, but perish in the using, and the expense of replacing them is of annual recurrence; but here the cost is once for all, and the benefit will never cease until the day when Britain is no longer worth defending. The necessity of paying these millions will procure us one result, if no other—that the nation will be driven to take the matter into its own hands; and, as we come to deal successively with first appointment and promotion, and with military government and military expenditure, it will, in the person of us, its Representatives, take good care that the great sacrifice which it is now called upon to make shall not have been made in vain.

Colonel RUGGLES-BRISE said, it was not his intention to reply to the arguments of the hon. Gentleman, as they had been already answered by previous speakers; but he wished to elicit some information as regarded certain points, and to say a few words on the Reserve forces. In former years the great evil of the service, both as to officers and men, was want of occupation, he was therefore glad to hear that, in addition to a reasonable degree of information in respect to professional subjects, in future, candidates for promotion would be required to possess proficiency in foreign languages. For himself, he did not believe that the abolition of purchase would give us a better class of officer; indeed, he very much questioned whether it would give as good. The Army was officered now not as had been said by the aristocracy and wealth of the country, but by a happy amalgamation of the aristocracy and the middle class of the country. He believed the system recommended by the hon. Gentleman who had just sat down would be a failure. It would be impossible to equalize regiments, for there would be always more *esprit de corps* and better discipline in one regiment than in another. His right hon. and gallant Friend the Surveyor General of Ordnance (Sir Henry Storks) seemed to desire a material change in our officers, and wished to see the middle and professional class more numerously represented; but he saw no reason why the sons of our aristocracy, who entered the Army, should not be as well educated as any other class of the community. The proposition of the Government was to do away with both regulation and over-regulation prices, and he could not believe such a proposition would be acceptable to the country generally. The proposal had been stigmatized as contemptible and unworthy of this great country. He did not go so far as that; but he should like to see the principle carried out whereby every officer would be paid down what was fairly owing him; or the commission might be valued and compounded for, the Government paying a small interest till the officer realized his commission. His feeling was, that it would be better not to pay the over-regulation at all; but simply pay no more than the regulation sum. It was improbable that the country would pay so many millions of money for carrying out a private arrangement between officers. At any rate, he had heard nothing from the War Minister as to the reason why it was necessary to pay over-regulation in order to amalgamate the Militia and the Line. He did not see so great an evil in selection as many of his right hon. Friends appeared to do. At any rate, seniority must be the rule, and selection the exception. In his own regiment of Militia he had over and over again had to select officers for promotion, sometimes over the heads of others, but always with the approbation of the whole regiment. The Minister at War, too, had a hold of the Lord Lieutenant of the county, and demanded an inquiry where officers were passed over in the service. Officers would not be passed over without good and sufficient reason. He did not believe that the scheme set forth by the hon. Gentleman the Member for the Border Burghs (Mr. Trevelyan) was at all in unison with that of the Government. The Militia, during the past few years, had been much criticized; its officers were but slightly esteemed, and the men were denounced as the waifs and strays of society. The Volunteer force, of which he spoke with all respect, for he appreciated their patriotism and self-sacrifice—the great Volunteer force had been basking in the sun while the Militia were consigned to the shade. He did not wish to depreciate the wisdom of any former Secretary at War; but he must say no Minister had ever studied more zealously the interests of the Militia than the present Secretary of State, and he tendered the right hon. Gentleman his best acknowledgments. He did not like this Bill altogether. He liked the speech of the right hon. Gentleman better than his Bill. He wanted to know why so much of the Bill was taken up with conscription — a system which the country did not want, and which was, moreover, highly inexpedient. They did not want conscription for the Militia, certainly not that plan proposed by the noble Lord the Member for Haddingtonshire (Lord Elcho); if it were adopted it would certainly impair the Militia, and trample out of it every spark of vitality. If it were necessary to resort to conscription in order to obtain the number of men required in an emergency he would recommend the plan adopted in 1808, when the country was divided into districts, and if the Militia for the district did not produce its quota of men, then the Ballot was enforced to make up the number; but if it did, the Ballot was not resorted to in that district. There was no great hardship in making a man serve his country in his own county, practically without taking him away from his home and family. To conscription for the regular Militia, without substitutes, he did not believe the country would submit; and if we amalgamated the regular Militia with the Regular Army, how could we have conscription for the Militia and not for the Army? If, in 1852, Lord Russell had accepted the suggestion of Lord Palmerston and had given up the word "local," and inserted the word "regular" in his Militia Bill, his Government would not have been upset as it was in that year. That was a Bill for calling out the Militia; this was a Conscription Bill; and therefore he would now suggest the substitution of the word "local" for the word "regular." We did not want conscription for the Militia at all, for we could get as many men as we wanted. The men were well paid, and well satisfied with their pay, which might be fairly estimated at 15*s.* a-week as compared with 13*s.* a-week in the Army. If 26,000 men had been enlisted into the Army since last Midsummer, as he had been informed, he feared that 12,000 or 14,000 had been taken from the Militia, for he had given 150 men leave to enlist from his own regiment, and 126 of them had been accepted, 24 being rejected as medically unfit. If this proportion were true of other regiments, the ranks of the Militia would have been largely reduced by the success of the Army enlistment. He agreed with the plan of 28 days' drill; but he would have the training period for recruits fixed for the winter months, because the want of employment at that period would swell the ranks, especially in the agricultural districts. He did not approve of drilling recruits with the Line, and would prefer to drill them at head quarters, because a recruit required to be gently handled to make him a soldier, and, if he were handled too roughly at first, he might be fatally prejudiced against the Regular Army. In his own county bad characters had been weeded out of the Militia, and he wished the same had been done throughout the Army. He was sorry to see that no proposal had been made for the increase of the Militia artillery. There should be a certain number of guns and men told off to work them in every regiment. The system had been introduced with good effect in the Indian Army. The withdrawal of the patronage, as far as promotion went, from the Lords Lieutenant was wise; their retaining the appointment to first commissions would give us good useful officers who would be an ornament to the service. Almost every Bill introduced into Parliament fixed additional charges upon counties, and he hoped the matter would be fully re-considered by the Government. He did not like the Bill as it stood; he did not believe that it was understood by the country; the Army did not approve of it, nor did the House; and he trusted that in Committee it would be so amended as to make it a real Army Organization Bill.

Mr. GOURLEY said, that in his opinion, to have introduced the Ballot into the measure would have been to revive the pressgang throughout the country. It was utterly unnecessary to resort to such a course, inasmuch as there was ample material in the country from which the Army could be recruited, without recourse being had to such an extreme step. He believed the Secretary for War had struck at the root of the evil that existed in our present military system by proposing to abolish the system of purchase—because, when that impediment to the amalgamation of our various forces had been removed, it would be replaced by a spirit of competition, men of thought and intelligence would take their places in the rank and file and; the Army would become a national, instead of an exclusive force. However, although he approved the proposal to abolish this objectionable system, he objected to the mode in which the right hon. Gentleman proposed to effect that object. Either the purchase system should be allowed to die a natural death, or else it should be abolished at once and for ever. If the system was so objectionable that it was absolutely necessary that it should be swept away, why should it be allowed to linger on for years, as would be the case if the Government plan were adopted? The system ought to be got rid of as soon as possible, and he did not think the country would object to pay the money required to buy up the commissions. He further objected to the proposal of the right hon. Gentleman to substitute the system of promotion by selection in the place of that which now existed, as calculated to lead to patronage and political jobbery. Before asking the people to expend the enormous sum of money the Government plan would require to be spent, the right hon. Gentleman ought to satisfy them that some large and comprehensive plan had been framed for securing the defence of this country—he ought to assure them that the Navy would be re-organized, and that small iron-clad turret-ships, manned by the Coastguard and the Naval Reserve, would be ready to defend our coasts and harbours. They should further be convinced that, in the case of our first line of defence being broken, our land forces would be placed in such a state of efficiency as to enable them to be prepared for any emergency. But he denied that this had been done: notwithstanding the interest that had been excited in this country during the last seven months on the subject of our military affairs, the War Office had brought forward no tangible plan which would serve as a guide in attempting to re-organize the Army. If the War Office had been itself efficient, the country would not have been left in the distracted state in which it now was with reference to the steps to be taken for its defence. What was required was that our various forces should be so equipped, organized, and arranged that they would be prepared to enter on an actual campaign at any moment. Only recently a singular illustration had been offered of the inefficiency of the present system, in the delay which had taken place in supplying clothing, and other equipments, to portions of our troops. If that were to happen, what would be the case were we suddenly brought face to face with an enemy? With all the experience we had gained in the Crimean and the Abyssinian Campaigns, the head of the War Office, he thought, ought at least to see that our various forces were placed in such a condition as to be able to take the field for actual campaign service. No system would be sufficient, or would be such as the country demanded, unless our various forces were put in a position to do that. To accomplish that object, it would be well if the War Office could so arrange our various forces as to place before the public during the ensuing summer, in different parts of the country, a certain number of the Regular Army in connection with a certain number of the Militia and the Volunteers, as though they were going into actual campaign service. When they had placed before them such a combination, the country would be satisfied that there was at least some ground for expecting efficiency in actual service. But until that was done, the public would never be convinced that the War Office was doing its duty.

Mr. EASTWICK said, he hoped he should not be thought discursive, if he did not travel altogether side by side with the Amendment of the hon. and gallant Member for Berkshire. He wished to state his objections generally to the Bill, and some of them referred to matters of far greater importance than the purchase system. But, notwithstanding his objections to the Bill, he wished to speak with the utmost respect of the efforts of the right hon. Gentleman the Secretary of State for War. No one could deny that the task which devolved upon the right hon. Gentleman was one of immense difficulty; a task, as had been most justly said, perhaps not easier than to build the superstructure of a new military system on a cleared foundation. It was impossible, too, not to admit that there was evidence in the Bill of at least an earnest desire to deal fairly and liberally with the whole question of Army organization. On one point he especially congratulated the right hon. Gentleman—namely, that he had not shown any disposition to sacrifice the public interests, or, indeed, any interests whatever, to false considerations of economy. He would frankly own that he was prepossessed with the idea that the Government were too deeply anchored in economical protestation to be able to swing with the turn of the tide. But if the Bill was unsound, it was not because it was too economical; on the contrary, the objections that had been taken to it were rather of an opposite character. But from the fact that the Bill did not err on the side of economy, he drew the inference—not in a party spirit, but as a general lesson to all parties—that it was an unwise thing for Ministers who valued a reputation for consistency to indulge in unlimited promises of economy; for after, as he believed, a sincere effort to keep pace with their professions, the Government now proposed a Bill which would impose upon the country, at one stroke, a burden equal to the whole cost of the Abyssinian Expedition, a yearly charge of between £2,000,000 and £3,000,000 for the increase of forces, and an uncertain amount for a future retiring fund. He was as warm a friend of economy as any Member of the House; but, of course, he knew that there were considerations which affected the safety and honour of the country which must be paramount to all others, and to which even economy must be postponed. He was glad, therefore, that it had been admitted that our principal object was not so much how to finance a new military system as how to place the military institutions of the country on a basis of permanent security. Still, he held that the most careful calculations should be made as to expense, and that no alterations should be sanctioned but such as could be proved to be worth the cost, and, what was even still more important, not to contain in them the germs of increasing and indefinite expenditure. Looked at from these points of view, the scheme of the right hon. Gentleman — unless there was a great deal behind — and judging only from what they saw, and that was all they could judge by, must be unreservedly condemned. It was an inelastic scheme, which did nothing to increase the strength of the Regular Army, and it was positively mischievous, inasmuch as it tended to induce the country to rely in the greatest emergencies on untried forces, which, from their very constitution, could never have fought a battle until they came to fight in that last struggle on which the fate of the nation would depend. It involved an immense outlay, and held out no guarantee that the state of things for the extinction of which that outlay was made would not recur; and it certainly contained the seeds of increasing and unknown expenditure hereafter. In a word, while infinitely more costly than the old system, it contained all the defects inherent in that system. The right hon. Gentleman (Mr. Cardwell) had laid it down that, before discussing the new military arrangements, it was necessary to decide three important questions—first, whether recruiting should be on the voluntary or the compulsory principle; secondly, whether purchase should be retained or abolished; and, thirdly, whether the commissions in the Reserve forces should be given, as heretofore, by the Lords Lieutenant or by the Crown. He ventured to think there was a question to be considered before all these—a question on which the safety and welfare of the nation depended: that question was—Is England prepared to stake her last stake of all on a Regular Army, or on Irregulars? After this great war which had just passed under their very eyes, were they resolved to follow the example of France, or would they adopt that of Prussia? That was the question which the right hon. Gentleman had undertaken to decide for them; and he now, with the most profound conviction of the fatal nature of the mistake into which he would plunge them, appealed to the House to reverse the decision. In speaking of following the example of Prussia, he did not refer to compulsory military service. He would state in one moment what it was to which he referred; but as the right hon. Gentleman initiated his argument by referring to compulsion, he (Mr. Eastwick) desired, first of all, to say a few words on that head. He was not about to advocate compulsion. He was perhaps as unfriendly to it as the right hon. Gentleman himself, or as that celebrated man before him, who would not even give a reason on compulsion. But he thought that in that discussion the arguments for compulsory military service should be stated fairly and fully, and not in the incomplete and perfunctory manner in which they were alluded to by the right hon. Gentleman. It was not statesmanlike to dismiss the question of compulsory enlistment for the Regular Army with a single remark, and to say that it was a proposition which nobody had ever been bold enough to support. Perhaps nobody had ever been bold enough to support a proposition for adopting that system in England; but it was the system which had been adopted in Prussia, and we had seen the results. If the House and the country wished to come to a full, dispassionate, and safe judgment on that great question they should ponder well those results. Those results proved that the greatest national prosperity which, perhaps, had ever been witnessed in Europe was compatible with compulsory military service. He maintained that the progress of Prussia, both material and moral, was greater even than that of England. The population of Prussia increased more rapidly than that of any country in Europe, except Saxony and Norway. That population was better educated than that of almost any country, and contained upwards of a million of landed proprietors — not mere cottagers, but the majority of them in comfortable circumstances—while here there were but 30,000 landowners with 250,000 tenant-farmers. It was a population in which the poor were but as one to 32, while here they were as one to 22. It was true the average income of Great Britain was about one-third greater than that of Prussia; but Great Britain was three times more heavily taxed, and the charge on account of the National Debt alone was here 16*s.* 6*d.* per head of the population, while it was only 2*s.* 9*d.* in Prussia. It must be remembered, too, that 44 per cent of the revenue of Prussia was raised from sources independent of taxation. He might add other statistics, but he would not weary the House. Our Secretary of Legation at Berlin, Mr. Harris-Gastrell, in his valuable and elaborate Report on the Land Tenure of

Prussia, attempted to account for this astonishing prosperity of a nation of soldiers by saying—

> "Possibly the loss of reproductive labour (owing to the number of soldiers) may be compensated to the nation by the gain in physical and moral qualities of the peasant and the artizan. The villages of the proprietary peasantry in Prussia are usually admitted to be the great nurseries for the Army;"

and the peasants were said to be "much improved by passing through the service." They were free from the chief vices of the agricultural labourer; and "as soldiers they respect the purse and the watch of their slain enemy." Those who imagined that compulsory military service was injurious to the industrial pursuits of a nation could hardly be aware that out of 1,000 men who come to the age for enlistment in Prussia every year only 96 were taken for the Army, and of these the great majority, after a short service of three years, returned to their industrial pursuits invigorated and, in all respects, improved. The advantages of a compulsory military system, such as existed in Prussia, might be summed up under five heads — First, the certain and regular supply of sufficient recruits for the standing Army, instead of an uncertain and irregular one; second, the binding together all classes of the community by the tie of military companionship; third, the elevation of the tone of the Army by the infusion of a due proportion of educated men; fourth, the improvement of the industrial classes by the physical development and moral discipline acquired in the Army; fifth, the preparation of the most formidable engine of war possible by the formation of an Army not on the absurd principle of the Ballot, but by that of selection, by which the Army would consist, physically and intellectually, of the very flower of the nation. But he thought he need not enlarge upon the question of compulsion, because he understood that the Government intended to adopt the better plan of making the Army an object of attraction rather than of aversion. That was, no doubt, the right course; but then he must remind the House that it implied increased expenditure. But when he spoke of following the example of Prussia, he referred not to compulsory military service, but to that which seemed to be at the root of all real improvement in the Army. In the Prussian system the Reserve forces were the veterans of the Army; but in the scheme before the House they were not far from being the very opposite extreme—the recruits. Let him remind the Secretary for War that in the Roman legion it was the Triarii, or veterans, who formed the third line, and who restored the battle when the young soldiers, the Hastati and Principes, were broken. But in this scheme that principle was reversed, and it was the raw troops, the irregular levies, who were to retrieve the day when the best soldiers were beaten. In accordance with this idea was the proposal to transfer officers after two years' service in the Militia to the Line, a proposal which, in his humble opinion, was the very reverse of what should be adopted. A man who had served seven years—he would say five years, or even three years—in the Regular Army was a soldier, and if he were dismissed to industrial pursuits and called back every year to drill for 28 days, or 100 hours, or any reasonable short period, he would lose little, if any, of his military knowledge—nay, perhaps by the change of occupation, and by educating his mind generally, he would even gain, and would return to military service with increased zeal. He was like a man who had once learned to skate well, and who, however short the season, was always *d'aplomb* on the ice. But a Militiaman or a Volunteer—he spoke of the masses—would remain a Militiaman or a Volunteer to the end of his days, and would never be able to fight a pitched battle with a regular army of veteran soldiers. But this whole scheme proceeded on the supposition that with a few good soldiers and a great number of imperfect ones, the work which was required to be done by a certain number of good soldiers could be effected. There were now in this country, as far as he could make out, 104,826 Regular soldiers and 329,663 Irregulars, and he admired the faith of the right hon. Gentleman if he really believed that that little leaven would leaven the whole mass. No doubt he saw the difficulty; because they were told that the recruits for the Militia were to be drilled as much as possible with those for the Regular Army, and for a longer period than before. That, of course, meant increased expenditure; but would it answer the purpose? He preferred to reply in the words of Mr. Windham, in his speech of April 3, 1806. He (Mr. Windham) said—

> "We seem to suppose that whenever we have got a set of men together, no matter on what principle combined, have put them in a certain dress, ranged them in a certain order, and taught them certain exercises, that, then, so far as that number goes, we have created an Army; which is about as wise as what we see of children in their sport, who, when they have fixed a piece of stick in the ground, fancy they have planted a tree. What is wanting in either case is the vital principle. . . . . . Danger and discipline are the very sap and juices out of which all that has life and action must spring. . . . This notion, therefore, of a levy in mass, so far as experience has hitherto gone, would seem to be one to which it would be wholly unsafe to trust."—[1 *Hansard*, vi. 652.]

Mr. Windham added—

> "If ever there was a country calculated to be defended by its inhabitants, if ever there were inhabitants qualified to defend a country, it was Switzerland and the Swiss, and yet how little were these people able to do. I cannot possibly conceive that the enemy would desire anything better than that the country should trust its defence to the Volunteer corps."—[*Ibid.*]

Those were the words of Mr. Windham, and they must be endorsed to a great extent even now. For though our present Volunteers were better than any that ever existed before, especially as marksmen, yet, not to speak of the fact that every one of them would be required, in case of serious invasion, to defend the fortified camps at Portsmouth and Plymouth, and those he hoped to see constructed near Liverpool and London and other commercial towns, if the question was one of fighting in the open field, the interval between the Volunteers and the Regular soldiers they might have to encounter would still be maintained. It was idle to disguise from themselves that there had grown up on the Continent a great Army, to which nothing that had ever been seen before could be compared, and the soldiers of which, in the opinion of the best judges, were superior even to those of this country in physique, in intelligence, and in experience, and not inferior in courage. It must be remembered, too, that the system by which the Prussian Army had been brought to such a pitch of perfection would be imitated by the other great military nations of the Continent, and that before many years were over we should see a French Army, a Russian Army, and an Austrian Army, which would have made corresponding progress. Where would this country, then, be, if they relied on this scheme of the right hon. Gentleman—a scheme which consisted in endeavouring to assimilate Irregular forces to Regulars, and which might unhappily end in the reverse issue, and in changing our small but noble Army, which up to this late war had been recognized as *la plus redoutable de l'Europe*, into a great provincial levy? But a question might be put to him which it was only natural to put to those who criticized and condemned the schemes of others. He might be asked—"What would you do yourself?" He had no hesitation in answering that question. He would begin by re-establishing the local European Army for India. That would relieve this country from all anxiety in that quarter, and would enable the Government to bring home in case of emergency the 32,000 men belonging to the Imperial forces which he should propose still to leave in India. He might appeal, he believed, to the very highest authorities as to the great mistake we had made when we abolished our local European Army in India. But he would not go further into the question on that occasion than to say that the present system could not be maintained without continual financial embarrassment. They could not afford to pay £16,000,000 a-year out of the Indian Revenue for their Army in India, and there were only two ways of diminishing the expenditure of the European part of it—one of which was by reducing the number of officers, and the other by extending the period of service for the men. And that extension of service ought not to be left to the accident of choice after the men had arrived in India; if they wished them to be contented and to look upon that country as their home, they ought to elect to serve for a long period before they quitted England. The next step should be to augment the Regular Army in this country up to something like the figure at which it should stand in proportion to the enormous sums expended upon it. They were told there would be 108,000 men of the Regular Army in this country, and according to his scheme they would bring from India 30,000, and if they added 6,000 more they would have 144,000, or four and a-half complete *corps d'armée* of 32,000 men each. He contended that by judicious economies they could afford to add 6,000 men, who should all be assigned to the military train, and that even with this addition, and the expense of the men from

India, which would no longer be defrayed from the Indian Exchequer, the Army ought not to cost so much as it did at present. He was quite prepared for the outcry which might perhaps be raised at a suggestion for increasing the Regular Army, and for the dismal looks and objections with which it would be received; but he appealed to any general officer of experience whether, in face of the gigantic armies on the Continent, 144,000 Regular soldiers were too many to keep in this country? It should be borne in mind that his proposal was not so much to increase the number of armed men in England as to substitute Regular soldiers for Irregulars. It was said in that House not many nights ago that it would be impossible for England ever to vie with the great military nations of the Continent; but that remark was as mischievous as it was absolutely without foundation. Why was it impossible for England to vie with those nations? Was it on account of the want of men or of money, or of both? Certainly it could not be on account of the want of men, for the population of this country increased so much more rapidly than that of France, for example, that though France had 38,000,000 people, and Great Britain only 31,000,000, yet the latter had actually more men who came to the age for enlistment every year than France. In France there were annually but 330,000 men who came to the age of 20, against 360,000 men in this country. Looking at the stature, strength, and soldierlike qualities of our men, as well as their number, we were, in respect of our resources for recruiting our Army, not very far behind united Germany. Well, then, it was not on account of the want of men that it was impossible to vie with the nations on the Continent. Was it, then, on account of the want of money? Here there could not be even the shadow of a doubt, for they were actually paying for their heterogeneous body of 220,000 Militiamen and Regular soldiers £5,000,000 a-year more than the North German Confederation paid for their great Regular Army, and about £1,000,000 a-year more than France paid for 375,000 regular soldiers on a peace establishment. He was astonished that the people of this country did not awake to this fact and demand an explanation of it. They were told that an English soldier costs £100 a-year, while a French soldier costs £40, and a Prussian only £30; but that was the very point into which the House and the country should insist on inquiring. Why were not explanatory comparative statements of the cost of soldiers of different nations laid upon the Table of the House? In this matter we seemed to resemble the sailor who was so determined to spend his prize money that when he found that a gold watch was not to be had, he insisted upon paying as much for a silver one. Would anyone believe that food, arms, and clothing cost more than three times as much in England as they did in Prussia, and more than twice as much as they did in France? No; the whole secret lay in our faulty administration, in our top-heavy service, in our excess of officers to men, and in our inelastic system. He knew that the noble Lord the Member for West Essex (Lord Eustace Cecil) thought differently; but he believed it could be shown from the Statesman's Year-book—and there were other and still more conclusive authorities, that in our infantry we had one officer to every 22 men, while the Prussians had but one to 28; and in our whole Army, including the administrative service, we had one officer to 17 men, while the Prussians had but one to 23. That was on a peace establishment; but on a war establishment there were, in a Prussian *corps d'armée,* 39,784 non-commissioned officers and men to 975 officers, excluding the administrative and medical service—that was only one officer to nearly 41 men. Moreover, in our Army, the officers in the higher grades, who cost the most money, were greatly in excess as compared with officers of the same grades in the Prussian Army. In every infantry regiment we had two majors to the Prussian one, and ten captains to the Prussian four. It was obvious how much this must increase the expense of the effective service, as well as the amount of the pension and half-pay list. These were vital points, and the scheme of the right hon. Gentleman did not touch them at all; though it was the more incumbent on him to deal with them fully and satisfactorily, because he had decided on the abolition of purchase. He (Mr. Eastwick) declared boldly that, unless the military system was reformed at the same time that purchase was abolished, the country would plunge into a fathomless ocean of expense; and after they had paid away £8,000,000 or £10,000,000, or whatever the sum might be, they would find themselves in a worse position than they were in before—in the Indian difficulty three times aggravated. Begin, he would say, by reducing the number of your company *cadres* and of your officers to the scale adopted in the Prussian Army, and transfer the 1,036 supernumerary officers you would thus have in the infantry to the Reserve forces. Adopt an elastic system, and divide your 108 regiments of infantry into three battalions each, and then you may mobilize as few of them or as many of them as you please. If you reduce the majors from two to one, and the companies from ten to four, you will have sufficient supernumerary officers, with the 2,074 officers on half-pay, who ought all to be called upon to serve in the Reserves or to retire, and the Militia officers to supply the second and third battalions. In the same way reduce the number of squadrons in the cavalry, but increase their strength, and make the artillery into four corps with 8-gun batteries, each corps being nearly equal to an infantry corps on a war establishment. It was impossible, without better data than any private Member could have, to go into minute details; but it was clear that a scheme might be based on that foundation, which would give three times as many Regular soldiers as we now had, with little increase, perhaps with some diminution of expense. There were already sufficient officers for the Reserves, and if a short service of three years were adopted for two-thirds of the men of the 1st battalions, keeping only one-third old soldiers, and passing the rest through into the 2nd battalions or first Reserve for four years, and then into the 3rd battalion or second Reserve for five years, the time-honoured but effete system of the Militia might gradually be superseded. These Reserves being called out for only eight days in the year, or at most for 14 days, which would be all that was necessary for old soldiers, would cost little more than the Militia, and would be twice as numerous and vastly more efficient. Returning to the question of purchase, it could not be denied that after, at an immense cost, we had bought out purchase, and prohibited in the severest manner—even to the extent of making it penal — any attempt to revive it, even then, unless liberal retiring pensions were provided, and retirement enforced after stated periods of service, the old system would begin to re-appear. It was a weed, if they liked to call it so, that would grow in spite of all that could be done to prevent it, unless it were choked with some more vigorous plant. But then came the question of expense. It would probably be necessary to fix a period of about 12 years for service as a subaltern, and 20, 26, 32, and 38 years as the periods after which an officer should be promoted to the rank of major, lieutenant colonel, colonel, and colonel upon full allowances. But if there were not vacancies sufficient for all the officers arriving at those terms of service, it would be absolutely necessary to cause the supernumeraries to retire on the pensions of their rank, with liability to serve in the Reserves, or in case of invasion. He was quite unable to calculate the yearly charge that this system would entail; but the calculation, no doubt, could be made, and it ought to be made at once. It would, no doubt, be a very expensive system; but it would, at all events, furnish for the Reserve forces an adequate supply of experienced officers. There were only three more points to which he would very briefly refer. No military system could be efficient unless the Army were divided into regular *corps d'armées* of so many thousand men each, with a due proportion of infantry, cavalry, artillery, engineers, and military train, kept up so as to be able to move at short notice. We had not proceeded as far even as this elementary proposition, for though we had a military unit of 18,000 men, we had not the proper proportion of cavalry, guns, and military train. We had, indeed, 330 field guns, but should require for 144,000 men 430 guns. We had enough artillerymen, but not guns and horses. The House would likewise observe that by fixing on so small a unit as 18,000 men we vastly increased the expense; if we wished to be economical, we should adopt a unit nearer that of the Prussians, which was 42,000. According to the suggestion of the right hon. Gentleman the *corps d'armée* ought to be localized; but it was of great importance that the military and civil territorial divisions should be identical, as was the case in France and Germany. The civil registers furnished the information as to the number and ages of the population required for military purposes; but if the civil and military districts did not coincide, it would be difficult to utilize that information. Recruiting, he thought, would be much assisted by detaching parties of officers and men from the Regular Army to the civil sub-districts to drill Volunteers, and, in fact, all comers. This would make the masses better acquainted with military matters, and dispose many to enlist. Lastly, he would urge that the old soldiers should be better paid and pensioned, and it was no less important that the soldier generally should receive all he had to receive in money and rations without any deductions. In conclusion, he hoped the House would go into these questions in the most searching manner, would grudge no time in finding how to diminish expense, while preserving the utmost efficiency in the Army, and would grudge no money that might be really necessary to render the Army not only efficient, but as powerful and as numerous as the great position of England and her unavoidable duties as one of the foremost nations of the world required it should be.

MR. AUBERON HERBERT said, one of the arguments advanced by those who defended the purchase system was, that it helped to give us efficiency in our officers; but if that argument was worth anything, it ought to go further and establish that the officers in the infantry and cavalry regiments were more efficient than officers in those branches of the service—the Engineers, the Artillery, the Marines, and the Navy—where purchase did not prevail. Our officers, no doubt, had shown great bravery and self-devotion whenever they were called upon; but Captain Hozier had shown that a different meaning was to be attached to the words. He had stated, in his evidence, that Prussian officers were very much superior in tactical skill to our own, and that in times of war they showed themselves to be better educated, and possessed of greater professional knowledge than English officers, and he came to the conclusion that that was, in a great measure, owing to the fact that young officers in the English Army had a great deal to do in the way of amusements, such as hunting, shooting, and the like, which were far more pleasant and agreeable than receiving instruction in military science in time of peace. He ventured to suggest a study of the whole of Captain Hozier's evidence to his military friends in that House. Another defence for the purchase system was, that it prevented stagnation; but it was hardly fair to defend it on that ground, the answer being contained in one phrase — that there was a retiring list. The answer to the charge that its abolition would introduce favouritism was fallacious; because, by a system of competition on the entrance into the service, and again before attaining the rank of captain, and by afterwards placing the selection in the hands of a Board specially appointed for that purpose, it ought to be possible to prevent all suspicion of favouritism. The strongest plea that had been urged in favour of purchase was the plea made on behalf of the regimental system. It had its advantages, no doubt, as well as its disadvantages; and one of the latter was, that an officer often found that he had not sufficient freedom, and that habits of extravagance were forced upon him which it was difficult for a young officer not to conform to. He appealed to gentlemen who, after leaving college, had entered the Army, whether it was not true that there was much greater freedom for a man to follow the bent of his own individual mind when at college, for study and living economically if he chose to do so, than he would have subsequently when he had obtained a commission in the Army? Those who opposed the principle of selection on account of the regimental system, ought also, to be consistent, to object to the system of exchange. For if an officer was allowed for his own interest to exchange from one regiment to another, surely they might exchange officers from one regiment to another for the common interest and good of the service. Referring next to the system of over-regulation prices, he would remark that it was in the face of the repeated protests and efforts, on the part of the Government, that the over-regulation prices had grown up, and continued to exist, because of the culpable negligence of the Horse Guards ["No."] It never could have gone on unless the officer who retired had been allowed to appoint his successor in all the various steps; and if the Horse Guards had exercised the power it possessed, of throwing great uncertainty in the way of a successor, the fabulous over-regulation prices could never have gone on increasing as they had done. It was, no doubt, unpleasant to say so; but the fact was, that the expense to which the country would be put had arisen partly from the negligence of the Horse Guards. [An hon. Member: The Treasury.] Those prices had very much increased of late years, and it had been possible that such a transaction as he would name might have taken place—but he would not say that it had. A colonel entered a regiment, and made himself very disagreeable. At the end of 15 or 18 months he might intimate his willingness to retire. He did so at 20 or 30 per cent over the regulation price, because the other officers were too ready to subscribe the sum demanded to get rid of a disagreeable commanding officer. ["Oh!"] Surely hon. Members did not mean to say they had never heard of such a thing. There would be a strong feeling in the country that in paying men the over-regulation price they were paying men who had purchased at their own risk, and had thereby deliberately broken the law of the country. It would be an unpleasant task to perform not to pay them, because some officers would lose their money; but it appeared to him that to do so would be wrong and unjust towards the taxpayers—still, he was of opinion that some part of the money ought to be paid. Passing on to a consideration of the other parts of the Bill, he thanked the right hon. Gentleman for having dealt with this great and difficult subject; but he felt the Bill was not quite adequate to the occasion. It fell very short in the way of re-organization. In order to consider what was necessary, he would ask the House to remember the position of the country. It should be borne in mind that we had, as it were, two separate wants. We were members both of the great European and of the Asiatic families. Our wants for India, and our other external requirements, might be put down at 80,000 soldiers; but when they considered what was required for our own country, he ventured to say the question would be answered by the country in a manner which would very much surprise some hon. Members. It would be answered by the inquiry, whether a standing Army was required at all. ["Oh!"] He expected that remark would cause some surprise; but he was afraid that this was not the only institution that was very familiar to them, but which he should not like to name, that might have some day to undergo a change. Great changes had taken place during the last three or four years in the art of war. Nations now no longer sent armies into the field—nations themselves became armies. It was seen in America, and again in Germany; and if they watched what was taking place in Russia and Austria, they would find their military systems were being re-organized on that principle: and he thought they would shortly see it adopted by France also. Under the system of employing the whole of the male population in the defence of their country, they brought a better quality of soldiers into the ranks than we got under our system. The weapons now placed in the hands of troops were of such a kind that they required some moral qualities on the part of the soldiers who had to use them. Von Moltke was reported to have said that the breech-loader had destroyed all the armies in Europe except two, and they were the German and English armies; and the reason that he gave for that statement was that there were no other troops in Europe who were sufficiently calm, resolute, and self-possessed to use it efficiently. However much they might be inclined to give credit to that great General for the German successes in this war, he ventured to give it as his opinion, with very great deference, but still with a strong conviction, that the victories of the Germans were really owing to the individual character of the men—that it was the intelligence of the men, their resolution and patriotism, that decided those great battles; because the German soldiers were the most resolute in advancing and the steadiest in firing. An engagement in the present day had resolved itself into a long line of skirmishers. The mere mechanical position of regiments had lost its value to a great extent, and the individual character of the men had gained by it, for the men were now away from their officers' eye and control, and a great deal depended on what they did and what they were themselves. A professional standing Army offered neither of those two things—numbers or quality.

He believed that great impatience would be manifested by the people of this country, and rightly so, if a standing Army of 100,000 men were maintained; and when they came to examine the state of our Army, and tested it by the number of men who were admitted into our military prisons and hospitals, we could hardly help feeling that good as Englishmen might be, and bravely as they had fought, they were not the class of men who could be said to be the flower of the Army. He asked whether the state of things he had referred to was satisfactory? According to the Estimates the country would, during the current year, spend £29,000 for punishing the Army; £46,000 for preaching to it; £250,000 in doctoring it; and yet, having done this, could we say that we had an Army that could compare with that of Germany, or with any other really national Army? No man who had seen a real national Army would ever believe again in a standing or professional Army. The Chancellor of the Exchequer himself had said that we had heard in the recent war the knell of standing armies. He (Mr. A. Herbert) did not think the country ought to bear with a standing Army. Neither did he think it would approve of the German system. He confidently recommended the country to accept the Swiss system; which, while being efficient and cheap, would, at the same time, prove an instrument of the highest value in the moral and intellectual training of the troops. Under that system the whole male population of the country was drilled and trained in military manœuvres from school upwards. First, they were taught a very careful drill at school; this was followed by three months' service for the mass of the army, and a longer training for the scientific branches. That much might be done in a short time in the way of preparing men for warfare he could testify from what he had seen of the Mobiles in Paris, who by the end of the siege had become as fine a body of men as an officer could wish to command. And, in the event of invasion, we should be able to fall back upon some such system as this; but without the advantage of preparation. The handful of a standing Army would soon be used up, and then we must depend upon untrained men. A separate provision must, of course, be made for training the scientific branches of the service; but, so far as the mere fighting men were concerned, the Swiss system was perfect in the results which it produced. In order to carry out a system of universal drill, and so do away with the necessity for a standing Army, the Home and Indian Armies must be entirely separated; and, in the second place, this country must enter upon a new set of relations with Ireland. One of the principal reasons for having to maintain a standing Army was the Irish difficulty. That was a very discreditable fact, and he would therefore advise that Ireland should be put under the same system as that which prevailed in England. Let us pass the Irish people through a short, stern, compulsory service, and we should hear no more of England dictating to Ireland. He was perfectly certain that England's safety in the future would be best assured by relying not upon this or that particular line of defence, but upon every Englishman being compelled to fit himself to take an efficient part in her defence should the occasion unhappily arise.

Lord EUSTACE CECIL said, it was unfortunate that the present discussion should have been confined to what he considered a secondary point, and should have degenerated into a mere purchase squabble. He did not hesitate to blame the Government for this circumstance. First, they had declined to divide the subject at the request of the hon. and gallant Member for Bewdley (Major Anson); and next, they had put the purchase question prominently forward in the Bill, every speaker who had got up from the Treasury Bench reiterating the cry that the pith and substance of the Bill was abolition of purchase. Last year the country asked the Government two questions—whether they were prepared to defend our shores and to maintain our treaty obligations and allies. In response to that appeal the Government had brought in a Bill for the abolition of purchase at a cost of £8,000,000. In his opinion this was worse than trifling with a great question, because it was proposed to spend upon a secondary object vast resources, which might be applied to much better purposes. At a time when the great Powers of Europe were reconstituting their military system, we were bidden to be satisfied with a small Regular Army composed of regiments, but deficient in artillery, cavalry, and Reserves; with an ill-trained Militia, only half-officered, and with a Yeomanry force, which was much better fitted to take part in the operations of a field-day than to engage in the work of a campaign. In a word, we had neither a sufficient amount of men, ammunition, artillery, Reserves, nor organization. Was this the position which a great country like England, which owned the largest and richest commerce in the world, which possessed a greater extent of Colonies than any other nation, and which up to the other day had a *prestige* second to none, ought to occupy? Now that peace had been concluded no one could tell how soon the whole state of European affairs would be altered by some unforeseen event, and in that case how would England be prepared to hold her own against troops such as Prussia had recently put into the field with the raw levies—boys of 16 and 18—which his noble Friend (Lord Elcho) described the other day as forming a very large proportion of her Army. Then, with reference to our Reserves. The Financial Secretary of the War Department (Captain Vivian) said, in his speech a few days ago, that it was impossible to improvise Reserve forces out of the ground; in answer to which he (Lord Eustace Cecil) would venture to tell the hon. and gallant Gentleman that, in his opinion and that of many military men, it would be equally impossible to improvise Reserves out of the Bill before the House. He was an admirer of the short-service system; but he feared recent recruits did not approve of it, and we should only be able to rely upon one-sixth of our force of Reserves. He would not go at any length into the questions of artillery and ammunition, which had been dealt with by the noble Lord the Member for Haddingtonshire (Lord Elcho), but he wished to know whether the Secretary of State thought 336 guns were sufficient for 170,000 auxiliary and regular forces? When we knew that in the Prussian Army there were six guns to 1,000 men, we were put off with just two-thirds of a gun to 1,000 men. Our deficiency in cavalry was truly lamentable. We had 12,952 regular cavalry. and 14,000 yeomanry, making a total of 26,952 to a force of 470,717 men. Thus we had one cavalry soldier in every 17. The proportion in Prussia, on a peace footing, was one to six; in Austria, one to seven; in Italy, one to twelve; and in the United States, one to seven. The right hon. Gentleman had added 5,000 horses to the Estimates, yet we had only one horse to eight men of our Regular forces, while in Prussia they had one horse to four men; or to put the whole result of these calculations shortly, Continental nations had three times the amount of cavalry in proportion to infantry as we had, and twice as many horses. With regard to organization, he wished to know whether we could put into the field a *corps d'armée*, brigade, or regiment, with the amount of transport and commissariat necessary to constitute a well-appointed body of men? He could state with confidence that no attempt had been made to make our regiments independent and self-supporting in this respect. He then came to the question of finance. The hon. Member for the Border Burghs (Mr. Trevelyan), when he was at Edinburgh last autumn said that the compensation under the plan for the abolition of purchase would cost £2,100,000; but some months afterwards he stated in the daily papers that it would cost £5,500,000. But whatever the cost would be—whether £8,000,000, £10,000,000, £12,000,000, or £14,000,000—he wished to know whether hon. Members were prepared to consent to such enormous expenditure without having the details of what was to follow submitted to them. He was surprised that hon. Gentlemen below the Gangway on the Ministerial side of the House, who usually advocated economy, could listen without wry faces to the large figures mentioned by the Secretary of State the other day. The hon. Baronet the Member for Carlisle (Sir Wilfrid Lawson) told the House at an early part of the Session that the Gentlemen on the Opposition Benches were a war party, and were for incurring extravagant expenses; and the hon. Member for Leicester (Mr. P. A. Taylor) carped a good deal at the very moderate dowry to the Princess Louise. Such hon. Members as those seemed ready to strain at a gnat, but were perfectly prepared to swallow a camel. It seemed to him that this proposal of the Government was a most useless and wasteful expenditure of the public money. He should prefer to see this amount expended upon Irish railways, or in the reduction of the National Debt. If, however, it were determined to spend this money upon the national defences, he would suggest several better modes of dealing with it than in abolishing the purchase system. Well, in the first place, we might have an increase of our artillery and cavalry. In the next place, we might carry out the recommendations of the Committee of Defence of 1859—namely, improve the defences of our dockyards, fortify Spithead, and other similar places, complete the defences of Portsmouth, and other harbours; Spithead and the Thames might be made secure; something, too, might be done towards fortifying the Irish coast and harbours, which were almost unprotected. Camps of instruction might be provided; Malta and Gibraltar might be completely armed; or an additional ironclad fleet for the Mediterranean might have been provided. In any of those ways he contended that this sum of money might have been far better expended than in the way proposed by the Government. Now as to the terms of retirement. He would take this test as showing the expense which would have to be incurred by the country. In respect to the officers of the Royal Marines, the retirement fund was more liberal in every respect than that of the Ordnance Corps. The amount charged for the retirement of Marine officers in the Estimates for 1871-2 was £60,226 for 545 officers, including Staff, and by working a simple rule-of-three sum you would ascertain what the retirement of the officers of the whole Army would cost. He calculated that in England, including the Staff, there were about 6,000 officers. Add a moiety of that number for the officers in India, and you would find that, according to the cost provided in the Estimates for retiring 545 officers of Marines, £900,000 would be a moderate estimate for the retiring officers in England and India. Now, those figures could not be too often stated for the information of hon. Members, particularly of those below the Gangway; and it was desirable that the country and the constituencies, as well as that House, should thoroughly know the amount of the Bill they would have to pay. He now came to the still more vexed question of purchase; and, whilst upon this part of the subject, he could not avoid remarking upon the marvellous skill with which his right hon. Friend the Secretary for War, in his opening statement of the Army Estimates, had skipped over the long period of time which occurred between the dates to which he had referred. His right hon. Friend seemed to forget the fact that for some 40 years past the question of purchase had occupied a good deal of public attention. In 1833 a Committee on Army Appointments was appointed. The deliberations of that Committee acquired more than ordinary weight and importance from the Memorandum submitted to it by the late Duke of Wellington. In that document the illustrious Duke wrote as follows:—

> "It is this system of promotion by purchase that brings to the service men of fortune and education—men who have some connection with the interest and fortunes of the country, besides the commissions they hold. It is this circumstance which exempts the British Army from the character of being a mere mercenary Army."

Well, a Royal Commission on this subject sat in 1840. It was presided over by the Duke of Wellington, and was composed of 14 of the most eminent naval and military men of the day. That Commission, as the result of their inquiries and deliberations, reported unanimously in favour of the system of purchase. Passing over a Committee of the House of Commons which sat in 1850, which, though it did not report directly upon purchase, reported indirectly in its favour, inasmuch as it reported against the system prevailing in the Ordnance Corps, he came to the Royal Commission of 1856. That Commission consisted of 10 members, who were presided over by the Duke of Somerset. The right hon. Gentleman the Secretary for War, in referring to it, neglected to state certain details connected with that Commission which tended to deprive its Report of that force and authority which it would have possessed had its recommendations been the result of unanimity among its members. Only six signed the Report, three dissented, and one of those who did sign it—Sir De Lacy Evans—qualified his assent. Therefore, its Report might be said to have come out with only half of its members favourable to it. As his right hon. Friend the Member for Droitwich (Sir John Pakington) remarked, it had reported in favour of the purchase system up to the rank of major, and it recommended that the system of selection from the rank of major to that of commander of a regiment should be introduced most cautiously, and more as an experiment than as a rule. That Report led to a remarkable debate in this House four years afterwards. On the 6th of March, 1860, on a Motion of Sir De Lacy Evans for an Address to the Crown to abolish purchase in the Army, a debate arose in which 13 speakers took part. Ten of those speakers were in favour of purchase, and only three against it. Amongst those 10 were three officers of the Ordnance Corps—Captain Leicester Vernon, Sir Frederick Smith, the hon. and gallant Member for Harwich (Colonel Jervis), and Mr. Sidney Herbert, Lord Stanley, and Mr. Ellice. What did Mr. Sidney Herbert say—a Gentleman than whom no one understood the wants of the Army, and the feelings of the officers, better? The right hon. Gentleman said—

> "I view with apprehension and alarm any proposal for the entire abolition of purchase. I do not see what there is to replace it. I have looked carefully at the plan of Sir Charles Trevelyan, but I think his proposals would weigh hard upon the officers of the Army, and throw a very heavy burden on the Government. His plan on paper shows a great saving; but practically I do not think that it would prove so."

And he added—

> "Beyond the point to which I see my way I will not move an inch. This great machine, the English Army, is not a thing to play with."—[3 *Hansard*, clvii. 58.]

What was the verdict given on that occasion by the House of Commons? It wisely followed the advice given by Mr. Sidney Herbert, and rejected the proposal of Sir De Lacy Evans by a majority of 4 to 1. In the majority he found the names of the right hon. Edward Cardwell, the right hon. Chichester Fortescue, Sir Charles Wood, and Henry Austin Bruce, all Members of the present Cabinet. Well, but what has happened in the last 10 years to alter the opinions of the right hon. Gentleman the Secretary for War and the right hon. Gentleman the Secretary for the Home Department on this question? He should be sorry to pain his right hon. Friends opposite; but he could not avoid coming to the same conclusion as that arrived at by the hon. and gallant Member for Tipperary (Colonel White) — namely, that their present proposal was but a sop to the Radical exigencies of the hon. Members below the Gangway. Nor was he singular in that opinion. Earl Grey had been referred to by his right hon. Friend in his opening statement when he observed that the noble Lord, in his reply to the Duke of Somerset on the purchase system, said that the wisest course he could pursue in regard to that system was to let it alone, until he could abolish it altogether — his right hon. Friend thereby leading the House to believe that Earl Grey was in favour of the abolition of purchase; but such was not the fact, as it subsequently turned out. What were Earl Grey's opinions upon that matter? In the course of a debate on the 23rd of February, Earl Grey said—

> "I remain of the opinion I have long held, that, in spite of objections to it, the purchase system has not worked badly. . . . . Even if all the benefits anticipated from the abolition of purchase should be realized, it is not a subject of pressing importance, for our regimental system has supplied us on the whole, with an admirable body of regimental officers. . . . . But, unfortunately, in deciding upon their measure, popularity—and popularity alone—is the guide of our Government."—[3 *Hansard*, cciv. 744.]

He (Lord Eustace Cecil) complained that the War Office and the Treasury Departments had played fast and loose with this question. He complained that, whilst refusing to discourage the ignorant cry against the system of purchase, they had at the same time done everything in their power to make the system stink in the nostrils of the poorer officers of the Army. They had done this, first of all, by squandering the reserve fund, and giving pensions to officers of non-purchase corps out of it; and, secondly, by confiscating appointments in regiments without purchase that should have gone regimentally and been the legitimate prizes of those poor officers. Again they had done so by a most oppressive regulation which required from those who were desirous of retiring from the service a medical certificate that they were suffering from no mortal disease before they were allowed to sell their commissions; thus in many cases depriving them of the only provision they had for their wives and families, after, perhaps, years of service in tropical climates, and of sufferings from wounds and disease. This was the way in which poor officers had been deprived of their property by Government confiscation. When they talked of the abuses of the purchase system, these were the real abuses of the purchase system, caused by the systematic system of confiscation pursued by the

Government. He would now come to the arguments that had been used against the purchase system. He had heard it stated that purchase was an anomaly and could not be defended. He did not doubt that it was an anomaly, but he said that it could be defended. There were many other anomalies in the State, and, indeed, he could see plenty of them in that House. Were there no anomalies in our political system? Why should there be 658 Members to represent 30,000,000 of people? Was it no anomaly that the county population, which was larger than the town population, should avowedly have fewer representatives? And if he went further into social life and looked at the various professions that existed, he saw there anomalies without end. Take, for instance, a doctor's practice. A medical practitioner, it was well known, when he wanted to leave, could sell his practice to the first comer; but the patients were never consulted whether his successor was most qualified to kill or cure. There were plenty of other trades and professions that were the subject of barter and sale more or less in this country; and why, therefore, should this purchase system in the Army be the only anomaly worth abolishing at the cost of £8,000,000. To him this would have been incomprehensible but for the reason that there was an extraordinary delusion that the purchase system and the aristocracy were intimately connected. The other reason which was given by his right hon. Friend the Secretary for War was that it was absolutely necessary that there should be an amalgamation of the Regular Army and the Militia, and that the purchase system blocked the way. The fact that it would be necessary to provide Militia subalterns with commissions had been already dealt with by his right hon. Friend the Member for Droitwich; but he must say that he should have liked the Secretary for War to have explained how the amalgamation was to work. He could not understand whether the officers of the Regular force were to be allowed to exchange with the officers of Militia regiments; whether a colonel commanding a Yeomanry regiment might become the colonel of a Lancer regiment; whether the officers of the Line were to be forced into the Militia, or whether they were to be obliged to serve Her Majesty for one month's pay instead of twelve. If this was the proposal of the Government, he did not think that it was properly understood by the country. He also did not think that it was understood that the Militia force was to be a portion of the Regular Army. The right hon. Gentleman said that he could not put regular officers into the Militia when he wanted them, and that he had no control over them when they were there. But could he not put officers on half-pay into the Militia, or induce officers to sell out, and then appoint them to the Militia? The right hon. Gentleman must know that this had been done over and over again. There was one part of the scheme that excited his (Lord Eustace Cecil's) astonishment, and that was the proposal of the Government that purchase should not be extinguished for 35 years. If it were true that our auxiliary forces could not be efficient unless an amalgamation of forces should at once take place, he wanted to know why this efficiency should be put off for 35 years. This was a point which required explanation, for it was one which, in the right hon. Gentleman's language, "No fellow could understand." It seemed to him that the right hon. Gentleman was blowing hot and cold. He said that we must have an efficient force, and to have it at once we must abolish the purchase system; but at the same time he propounded a scheme by which the purchase system could not be abolished for over 40 years. He need not say much upon the question of selection, although it was a very important subject, but he did wish to say this, that it had been said by the right hon. Gentleman the Surveyor General of the Ordnance (Sir Henry Storks) that the scheme of the Government was generally looked upon by the Army as a very liberal and generous proposal. He did not say that the right hon. Gentleman used those words, but that was the sense of what he said. He would correct him (Lord Eustace Cecil) if he were wrong.

Sir HENRY STORKS explained that the liberality to which he alluded was as regarded the proposals of the Government and not with respect to the Army.

Lord EUSTACE CECIL said, the officers of the Army were those most interested in the matter, and they might, perhaps, be allowed to express their own opinion. Availing himself of the permission which had been given to officers to communicate their sentiments to private Members of the House, he had sent a circular to every officer commanding a regiment or a depôt in the United Kingdom. At the same time the House would understand that there had been no meeting of officers to the prejudice of military discipline; but that the commanding officers had obtained the opinions of each officer privately. To the 90 circulars he had sent out, he had received between 70 and 80 answers from regiment and individual officers, and had thus collected opinions from 59 regiments. The officers of 56 of these regiments were entirely opposed to the scheme of the right hon. Gentleman, and would rather that things should remain as they were. He thought that this should be understood by the House and the country that thirteen-fourteenths of the officers of the British Army were opposed to the Government scheme. They did not take the view of the right hon. Gentleman that his scheme was liberal and generous, and they had expressed their opinions so well and had put them so shortly and concisely, that he would read out what he was convinced was the opinion of thirteen-fourteenths of the British Army. The objections which they had to the scheme might be thus stated—

> "1. Because it is a breach of contract, by arbitrarily limiting sales of commissions. 2, Because the non-purchaser under the new system will be receiving a higher rate of pay than the officer remaining in under the old. 3, Because they have the greatest mistrust of the manner in which the Commissioners will adjudicate the amount of over-regulation prices, the customary sum differing at various times even in the same regiment. 4, Because they have great doubts, judging from the state of the Artillery and Engineers, of the liberality of this House in the future in supplying a sufficient retiring fund to prevent stagnation of regimental promotion. 5, Because they believe promotion by selection will destroy all *esprit de corps*, besides being a breach of contract as far as the present officers of the Army are concerned, who have paid their money in the belief that if they did their duty they would be invariably promoted."

For all these reasons there was an almost unanimous opinion, that if it were decided to abolish purchase the officers' money should be returned to them. He believed that the Surveyor General said in his speech that it would be very unfair to return the officers' money to them, because officers who had been purchased over would have a right to complain. He (Lord Eustace Cecil) believed, however, that if the right hon. Gentleman gave himself the trouble to ascertain the opinions of the non-purchase officers who had been purchased over they would one and all be quite content that those who had purchased over them should have their money returned. Officers who had thus purchased over others had invested a large capital in doing so, and they had not received by their higher pay full interest for their money. As to selection, he would only call attention to what his right hon. Friend (the Secretary for War) said in moving the Estimates. He said that he adopted the opinion of the Royal Commissioners of 1856 as regarded the feeling of the Army as to promotion by selection. But what did that Commission really recommend? Instead of supporting the provision of any general scheme of promotion by selection, they showed that it would never be favourably received by officers of the British Army. Now, how would selection work? He would quote another authority. Earl Grey had said that no one dispensed his patronage properly, and to do so he must be a superior being, with full knowledge of men's characters and qualities. When a comparison was drawn between Army promotion and Navy promotion, he thought that the House should recollect that the Navy was a very different service to the Army in this respect. A ship could not be compared with a regiment; a ship might be commissioned to-day and paid off in a week after, but a regiment had traditions of its own, that were looked up to with a veneration that no one could have any idea of who had not served in a regiment. Before concluding, he wished to say one word to hon. Gentlemen below the Gangway. He hoped they would not be led away by the hope of making this a party triumph. He was sorry to say he had seen in some Gentlemen who sat there—he did not say all—a tendency to make this a party affair. Let not hon. Gentlemen suppose that by revolutionizing the system of promotion in the Army they were dealing a blow at the Conservative party. The officers of the Army were neither party politicians nor Tory aristocrats; by far the larger part of them came from the middle and professional classes, and as such they came to that House and asked them to protect their vested interests. They were not conscious that this system, so much spoken and written against, had ever failed; they connected this system with the glorious annals of the country for 250 years; and they believed that its retention would be for the benefit of the service and for the good of the nation. But, at the same time, if it were the will of the nation that this system should be extirpated root and branch—if it were the will of the House, as representing the nation, that this should take place — the officers of the Army, like good and loyal citizens, would be content to obey—and as he hoped would obey freely and willingly. At the same time he trusted that, as far as their pecuniary interests were concerned, they would not be allowed to go away with a sense of injustice in their hearts, and would not have to say hereafter that for their vested interests they had pleaded in vain for justice to the House of Commons.

CAPTAIN BEAUMONT thought it was a mistake to ask the decision of the House on the question of purchase, and at the same time on the question of organization. The question before the House was that of purchase; but nine-tenths of the debate had proceeded on Army organization. He wished to confine his observations more especially to the question of Army organization. He thought that all Army reformers must be disappointed that the Bill did so little for re-organization; to him it seemed that this Bill ought to be called an Abolition Bill, rather than an Army Organization Bill. What was wanted in Army organization was a better moulding together of the different branches of the service. Our Reserve Forces were not what they ought to be; and it was to be feared that under pressure our Volunteer Force would melt away like a snowball in the sun, and that the Militia would prove a force on which we could not rely in time of trouble. He thought this was a most important part of the question, and that the Bill did not deal with it satisfactorily. There were many other shortcomings of our military organization with which the Bill did not deal. If our Army were now called upon to take the field, we should undoubtedly be deficient in transport. Then there was the question of telegraphs. Field telegraphs were provided for only a small proportion of the Regular Army. Then, again, what arrangement had we for ambulances? Next to nothing at all. After such an able statement as that made by the Secretary of State of military requirements, it was a cruel disappointment to find that all he did for Army re-organization was to appoint certain colonels to act as go-betweens between the Regular Army and the auxiliary forces, and transfer to the Crown the Militia patronage of the Lords Lieutenant. With respect to the proposal for the appointment of colonels, he thought this was, to a certain extent, a step in the right direction; but he denied that it was a step in Army organization, because these officers would not find any place in actual warfare. Then, as to the privilege of Lords Lieutenant, perhaps it was right and proper that their privileges should cease, and pass into the hands of the Crown; but he denied that this was a great effort of military organization. Both, as he had said, might be steps in the right direction; but both these and the abolition of purchase should have been subordinated to some large proposal for the re-organization of the Army. He agreed with the provisions of the Bill as to the Ballot, though the point was one of secondary importance. The Ballot was already a recognized part of our system; but when the emergency arose, he felt sure that the people of this country would rise as one man in defence of their homes. As to the purchase system, no one could maintain that *per se* it was right; and if we were beginning with a *tabula rasa* it was unlikely that it would be instituted, because no person would be so regardless of his own interest as to pay out of his pocket for the privilege of serving the State. It was conceded that the system had given to the service good officers; but he confessed that, with regard to the regimental system, about which a good deal had been said, he was a little in a haze as to what that system was, or what was meant by the statement that it would be upset if purchase were abolished. If by the regimental system they meant anything which was inalienably attached to the question of purchase, he should like to know what it was that was so attached. He had strong grounds for saying that there could not be anything in the regimental system which was inalienably attached to the purchase system. In his opinion, one of the advantages of the purchase system was that it prevented officers from being passed over; and, on the other hand, one of its disadvantages was that it prevented good officers from being selected. After balancing the advantages and disadvantages of the system, he was, on the whole, inclined to vote for the abolition of purchase. But then having agreed on the abolition of purchase, would it be necessary to adopt in its stead the system of selection? He thought it would; but, at the same time, the purchase system was better than a badly organized system of selection. But a system of selection did not need to be bad. Promotion among the non-commissioned officers was by selection, and the system was generally satisfactory; and though he did not say that there was any direct analogy between the promotion of non-commissioned officers and the system of selection in the case of commissioned officers, he still thought there could be found some way of getting over the difficulties attached to the selection of officers. But these were not by any means the strongest reasons for inducing him to vote for abolition of purchase. There were three reasons more which weighed very forcibly with him, two of which, to his astonishment, had not yet been referred to in the course of the debate. The first was one that had been brought forward by the right hon. Gentleman the Secretary of State for War in his statement on the Army Estimates, that the purchase system stood in the way of re-organization, though the right hon. Gentleman did not go so far as to say that if purchase were not done away with, it would be impossible to proceed with Army re-organization. In fact, it seemed clear to him that the question of the abolition of purchase was subordinate to the question of Army organization, because, whether purchase existed or not, Army organization must go on; but it would be a considerable step towards that end if the difficulties attending the purchase question were removed by the abolition of the system. It should not be forgotten that there was a continual change going on between the purchase and non-purchase corps—he alluded to officers of the English regiments changing with officers of the Indian Staff Corps, in which purchase did not prevail. The next point—and it was one which he had not yet heard mentioned in the course of this debate—was that the abolition of purchase would tend to abolish extravagance among the officers. It was well known that the mess-room doors of the Army were besieged by Jews and money-lenders, who were the curse of young officers. An officer had told him the other day that a young officer, within three months of receiving his commission, had received 70 applications from money-lenders, offering to lend him money. It was needless to point out that this evil would be put an end to by the abolition of purchase, because while the commission was a saleable property in an officer's hand, he had not only a temptation to procure, but the means also of procuring ready money; and this was shown by the number of retirements by young officers after unreasonably short service. The next reason that weighed with him was, that the abolition of purchase was an act of justice to the non-purchase corps, which represented one-fourth of the whole Army. It frequently happened in non-purchase corps, with one of which he himself was connected, that young cadets who went to the Military Academy, where they failed to pass their examination, and were rejected, afterwards entered purchase corps, and commanded in garrison the very corps they had not been considered fit to enter. Every question of this kind must be brought down to the standard of pounds, shillings, and pence; and though it might be thought worth while to pay £8,000,000 to get rid of the system, hon. Members would very greatly modify their opinions if they found they had to pay something nearer the double of that. It had been stated, from the Treasury Bench, that the cost would not exceed £8,000,000; but now it was stated, by the hon. Member for the Border Burghs (Mr. Trevelyan), that it would take £10,000,000; his own impression was that it would cost nearer £16,000,000. The cost of the abolition of purchase divided itself into two parts—in the first place, the actual money they would have to pay to officers for their commissions; and, in the next, the cost for retirements. By the Duke of Somerset's Commission the value of the commissions was calculated at £7,126,000. He did not think this a fair estimate, for it did not include the over-regulation prices, which amounted to £3,500,000; bringing the total up to £10,500,000. But since the date of the Report of that Commission there had been a considerable increase in the numbers of the Army, and the estimate would consequently be increased; and, moreover, many of the commissions that had been given without purchase had, by the lapse of time, acquired a money value. Again, Mr. Hammersley, an efficient authority on that subject, estimated the cost of the commissions at £7,776,000, and the cost of the extra commissions at £3,577,000, making a total of £11,246,000. He (Captain Beaumont) was aware that this estimate was based on the supposition that the payment was to be present instead of future; but making an allowance on that account, the amount might fairly be taken at £10,000,000. Taking all the figures into account, the expense would be £16,000,000. The cost of retirement, judging by the analogy of the retirement of the Ordnance Corps, would be something approaching £500,000 annually. He therefore should not be content to give his vote in favour of the abolition of purchase without some clear and distinct notion of what they were voting for. This was not a subject to be trifled with. He therefore thought he should be justified in asking his right hon. Friend whether £8,000,000 would be sufficient, and what were the mistakes of those who estimated the sum at £10,000,000 or £11,000,000? What was the maximum sum, beyond which he would not call on them to vote for the abolition of purchase? Gentlemen below the Gangway were willing to give their cordial and loyal support to the Secretary of State in his attempt to reorganize the Army; but unless his right hon. Friend gave them a fair estimate of the cost, he, for one, was not prepared to take what he must call a leap in the dark.

Colonel BARTTELOT said, that at that late hour he should not detain the House very long. This was a most serious question. It deserved the serious consideration of the House, as it had received the most serious consideration of the country for some time past—the subject had been earnestly debated throughout the land for the last six months. The great war which had taken place on the Continent had brought prominently before us our deficiency in military organization, and he submitted to the House that this was a question that ought not to be dealt with in a party spirit, but that it demanded careful consideration, without which they could not arrive at a just conclusion. Was the Bill one that would satisfy the requirements of the country? He thought not. Let anyone look at the two great Bills of the Government of last year and the year before, and say whether the minor details which were entered into and provided for with such careful minuteness in those Bills, were to be found similarly provided for in this. This Bill did not attempt to settle the details in the manner attempted by the other two, and without that forethought no Bill of so complicated a character could be satisfactory. The other night the right hon. Gentleman the Surveyor General of Ordnance (Sir Henry Storks) got up and denounced, in no measured terms, the present system; and he read a letter from a gallant officer for whom he (Colonel Barttelot) had a great respect. But the contents of that letter were, after all, only the opinion of an individual, and he (Colonel Barttelot) could bring 10 letters from officers of equal standing that would contradict, word for word, and line for line, the statement of the writer. The House was not to act on the opinion of a single letter-writer —let them take the united opinion of the officers, and see whether those officers agreed in the opinion expressed in that one letter. The right hon. Gentleman (Sir Henry Storks) said that no officer ought to have a pecuniary interest in his commission. But the Government proposal was to leave him with a pecuniary interest in his commission for the next 20 years. If the Government meant to deal with the question, let them deal with it practically, and at once. Did they mean to tell him that if they abolished purchase to-morrow it would not rise again in some form or other? There were 12 non-purchase regiments at present. Did promotion take place in them by purchase or not? Would he at once get rid of this, and say that if purchase were abolished promotion should not take place by purchase? Did not the right hon. Gentleman not know that when an officer joined his regiment what he wanted was to rise as quickly as possible? And the way he attained this was by buying others out. Would the Government admit that this was the fact, or would they not? Was their retirement system so good that they could arrange that there should be no stagnation of promotion? The hon. and gallant Member for Truro (Captain Vivian) said the other evening that the artillery was in an abnormal condition. He (Colonel Barttelot) should like to know what was its normal condition? When he was quartered in Dublin, many years ago, in 1845, as a captain of dragoons, in the same garrison with him was an officer of artillery, who had served in the Peninsula with his (Colonel Barttelot's) father; and that officer and himself exchanged, the officer having entered the Army in 1809, and he (Colonel Barttelot) in 1839. He was told that without a scheme of retirement officers would be 60 years of age before they reached their lieutenant-colonelcy. What were the Government going to pay? And what would they get for the payment? Would it cost £8,000,000 for the abolition of purchase? And would their retirement cost £1,000,000 a-year? He believed that it would cost more than £1,000,000 a-year. Where was the retirement scheme in the Bill? He could not find it; and he did not like taking "a leap in the dark." If they abolished purchase they must show how promotion was to take place, and how selection was to be effected—because it rather oozed out the other day that promotion was to be by seniority, tempered occasionally with a little selection, which he supposed meant favouritism. The Secretary for War had taken powers by the Bill to enlist men for any period from 1 day to 12 years. There was nothing to prevent the right hon. Gentleman from enlisting a man for a day, and then transferring him to the Reserve. He, for one, was not prepared to give him that power, because he knew how long a time it took to make a soldier. During the last year the right hon. Gentleman had got 26,000 recruits; but out of that number little more than 3,000 had been for short service. The whole value of the Government scheme depended upon whether they could get enough men to pass through the ranks, and he believed that it would fail in regard to the short-service men. He was informed, on good authority, that recently, out of 2,000 or 3,000 men in Chichester Barracks who were asked to re-enlist, only three were willing to do so. Supposing the men refused to re-enlist, where would be our Reserve Forces, and where our military organization? It could not be said that the Militia would be re-organized under the Bill, because it only provided that they should undergo 14 additional days' drill. A real re-organization would make the men first pass through the ranks of the Regular Army, then through the Militia, and lastly form part of the local Militia. If neither the Militia nor the Volunteers were effectively re-organized, what would be the position of the nation in the case of a sudden military emergency? Nothing would have been provided for the defence of the country, and any Government that failed adequately to protect us would cease to retain the confidence of any party. The scheme of the right hon. Gentleman failed also to deal with the Militia officers. All knew that some of our colonels were between 80 and 90 years of age; but nothing was done to touch the question, or to deal with the case of adjutants of Militia. In regard to the Volunteers—as they had all heard of the "Man in the Street"—and he might therefore be allowed to say that the "Man in the Street" had told him that at the Cabinet Council held to consider the question one right hon. Gentleman had said—"The Volunteers are troublesome fellows; they do nothing but drum about the streets; they are not much good. Let us get rid of them." But another right hon. Gentleman replied—"Better not do that; a great many Gentlemen in the House and below the Gangway belong to them." Thereupon a third right hon. Gentleman suggested—"Let us put them under the Mutiny Act and they will all resign," which was accordingly done. But if the Secretary for War had known a little about the Volunteers he would have been aware that they were ready to respond to any call that might be made upon them, and that if they had been asked to constitute the third line of Reserve they would cheerfully have done so, for they were anxious to serve and defend their country. Looking at the Bill as a whole it seemed to him that it failed in all essential particulars to re-organize the Army in such a way as to give a promise of security, and save us from the panics of which the right hon. Gentleman spoke the other night. He did not approve the Amendment, but wished its place had been occupied by one much broader, for which all could have voted irrespective of party considerations; but he should vote against the second reading of the Bill, which would not accomplish the object proposed.

Viscount BURY moved that the debate be now adjourned.

Mr. GLADSTONE hoped it would not be unreasonable to come to an understanding that, as the Bill would on Thursday have occupied a fortnight of the Session, as far as Government time was concerned, an endeavour should be made to bring the debate to a close on Thursday evening. ["No, no!"] He did not in the least degree complain of the time occupied by the debate, for the subject was new and involved many points; but, at the same time, they must endeavour to confine themselves within some limits.

Mr. G. BENTINCK hoped it would be clearly understood that there could be no understanding as to the time when a debate like this was to terminate. The Prime Minister seemed to be under an impression that there were but two Benches in the House—the Ministerial Bench and the front Opposition Bench; but there were 18 other Benches which claimed an equal right to freedom of discussion. There was an old and mischievous practice on the part of the two front Benches, which was called "coming to an understanding," and which amounted to an attempt to suppress all freedom of debate; but in the absence of any good reason for closing this debate on Thursday night, and depriving many hon. Members of the opportunity of speaking, he should enter his protest against any such understanding as had been suggested.

Mr. ANDERSON said, that he entirely agreed with what had just fallen from the hon. Gentleman. It was quite impossible to fix any limit to the present debate. They had sat that night for seven hours, but only five or six Gentlemen had spoken, and on the last occasion only three or four spoke. A large number of hon. Gentlemen doubtless wished to take part in the debate, and he, for one, entirely declined to enter into any arrangement for the conclusion of the debate on Thursday night.

Debate *further adjourned* till *Thursday.*

METROPOLITAN BOARD OF WORKS (LEICESTER SQUARE IMPROVEMENT), &C. BILLS.

Select Committee on the Metropolitan Board of Works (Leicester Square Improvement), &c. Bills *nominated*:—Lord Elcho, Mr. Cowper-Temple, Dr. Brewer, Mr. Locke, and Mr. Goldney:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at a quarter after One o'clock.

HOUSE OF LORDS,

Tuesday, 14th March, 1871.

MINUTES.]—Public Bills—*First Reading*—Incorporation of Trustees of the Presbyterian Church of Ireland (41); Primitive Wesleyan Methodist Society of Ireland Regulation (42).
Committee — Prayer Book (Tables of Lessons) (29); Benefices Resignation (7-43).

PRESBYTERIAN CHURCH OF IRELAND BILL.

PRIMITIVE WESLEYAN METHODIST SOCIETY OF IRELAND BILL.

(PRIVATE BILLS.)

Order of the Day for the Second Reading of these Bills, read.

The Duke of RICHMOND said, that these Bills had been brought in as Private Bills; but it seemed to him that they more properly belonged to Public Bills.

Lord CAIRNS said, he concurred in the objection of the noble Duke; and the noble Viscount (Viscount Eversley), who at present presided over the Committee of that House, had intimated his opinion that there would be great difficulty in proceeding with these measures as Private Bills. He had been communicated with by the promoters, who were anxious to withdraw them as Private Bills. He believed the objects which it was sought to attain were such as would commend themselves to their Lordships; and he therefore proposed that the Bills should be withdrawn and should be re-introduced as Public Bills—with the omission from the second of a scheme of incorporation which appeared objectionable, whether in a public or private measure.

The LORD CHANCELLOR, whose attention had been called at an early date by the noble Viscount who at present acted as Chairman of Committees to the peculiar character of the Bills, concurred in this course. The objects of the measures, with the exception of the scheme of incorporation referred to by his noble and learned Friend, appeared legitimate.

VISCOUNT EVERSLEY said, he was glad the Bills were to be withdrawn in their present shape. Lord Redesdale had had an opportunity of reading them, and was of opinion that they should be Public Bills. His own somewhat lengthened experience in the House of Commons led him to the same conclusion, and he should have felt bound to oppose the measures as Private Bills.

Order of the Day for the Second Reading *discharged.* Then—

A Bill for the incorporation of the Irish Presbyterian Church Trustees—Was *presented* by The Lord CAIRNS; read 1ª. (No. 41.)

A Bill to alter and regulate the proceedings and powers of the Primitive Wesleyan Methodist Society of Ireland, and for other purposes—Was *presented* by The Lord CAIRNS; read 1ª. (No. 42.)

PRAYER BOOK (TABLES OF LESSONS) BILL.—(No. 29.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to Order).

LORD CAIRNS moved to omit from the Preamble the words—

> "And such revised Tables have been considered and approved of by the Convocation of the province of Canterbury, and by a committee of the Convocation of York."

EARL NELSON said, that last year he could not have supported the Bill had it not been considered by Convocation; but, as it had been so considered, and as the recital was to be omitted, solely on the ground that Convocation had not received the special licence from the Crown necessary to enable them to do so legally, he should not oppose the Amendment. Admitting the impossibility of legislating on the other recommendations of the Ritual Commission, on account of the difference of opinion which prevailed among them on important points, he would suggest that Government might follow the constitutional course by giving Her Majesty's licence to Convocation to consider the Reports of the Commission. There would thus be a chance of divergencies being reconciled, and of some agreement being arrived at as a basis for legislation. It was most desirable that the Government should do what it could to secure unity of feeling. He would remind their Lordships that when, in William III.'s reign, the Government proposed legislation on the Report of a similar Commission, a Resolution was carried in this House affirming that a licence should first be given to Convocation to express its opinion on the subject.

THE LORD CHANCELLOR said, that the recital was inserted in conformity with the precedent of 1662; for though in the Act of Uniformity the approval of Convocation was not recited, it was distinctly stated in the Preface to the Prayer Book which that Act stamped with its authority. He did not think a licence from the Crown was necessary in this case, as Convocation passed no Act nor anything that required to be carried into effect, but simply expressed approbation of the Lectionary. To avoid, however, any difference of opinion on the point, he was willing to omit the recital.

LORD CAIRNS said, he would not say whether or not Convocation was justified in expressing an opinion; but, if Parliament thought proper to take notice of anything it had done, care should be taken that such action had been preceded by the usual licence or request from the Crown. In the absence of such a licence or request the recital ought to be omitted.

THE MARQUESS OF SALISBURY thought Convocation had been rather hardly used. There was much force in his noble and learned Friend's (Lord Cairns') objection; and, as want of time was assigned last Session as the reason for the non-issue of the licence, it would have been only decent this year to issue the licence and obtain the opinion of Convocation in the proper form. The insertion of the recital and then its unceremonious omission would appear an undeserved slight on the clergy, such as would not conduce to the peace of the Church. He hoped that in the event of more important legislation care would be taken to obtain the properly authorized opinion of Convocation.

THE EARL OF CARNARVON also feared that the Amendment would lead to some misunderstanding out-of-doors on the part of persons who looked up to Convocation as the representative of the Church. There was, however, a good deal of force in the objection to the recital in the present case.

THE BISHOP OF LONDON regretted that the opinion of Convocation had not been obtained in the proper way; but hoped it would be distinctly understood that the recital was omitted purely on formal grounds.

Motion *agreed to*:—Amendment made.

The Report thereof to be received on *Thursday* next.

BENEFICES RESIGNATION BILL—(No. 7.)

(*The Lord Bishop of Winchester.*)

COMMITTEE.

Order of the Day for the House to be put into Committee, read.

LORD ROMILLY, in the absence of the right rev. Prelate who had introduced the Bill (the Bishop of Winchester), moved that the Committee be postponed till Thursday.

Moved, That the House do now resolve itself into a Committee.

An Amendment *moved*, to leave out ("now") and insert ("on Thursday next.")

On Question, That ("now") stand part of the Motion? Their Lordships *divided*:—Contents 60; Not-Contents 23: Majority 37.

House in Committee accordingly.

Clause 1 *agreed to*.

Clause 2 (Definitions).

LORD WESTBURY proposed the omission of the words of the sub-section—

> "And if in any case it shall, in the opinion of the Bishop, be doubtful what person or persons or corporation ought to act under the provisions of the Act, it shall be lawful for the Governors of the Bounty of Queen Anne to certify in writing under their Seal, the person, persons, or corporation, who ought so to act, and in such case the person, persons, or corporation so certified shall be deemed the patron for all the purposes of this Act; and the said Governors shall in their certificate specify and direct by whom the costs and expenses of and incident to their so certifying shall be paid, and the amount of such costs and expenses shall be recoverable by or for the said Governors as a debt at law or in equity."

Under this sub-section any noble Lord might be waited upon by a deputy of the Governors and presented with a bill of costs of £120. On asking for an explanation he would be told—"The Bishop received an application for resignation from the incumbent of such and such a parish, and it became his duty to ascertain who was the patron? He looked into the will of your Lordship's father, and thought it doubtful whether the advowson was devised to you or not. He accordingly referred the matter to the Governors of Queen Anne's Bounty; they considered it with great solemnity, and referred it to their solicitor. The solicitor began, *more suo*, to labour in his vocation—it is no sin for a man to labour in his vocation—and sent the will, with additional notes, to counsel; and the counsel, in his turn, said the point was doubtful. The Governors were eventually pleased to arrive at the conclusion that you were the patron, and out of mere gratitude to them you will, of course, pay this bill of £120." This might pass *sub silentio* if the decision was correct; but supposing the Governors of Queen Anne's Bounty decided that the wrong man was the patron?—this wrong man paid the bill, and being made owner of the advowson for all the purposes of the Act, he would present the new incumbent. He would have a Parliamentary title to the advowson, to which he had no more right than the man in the moon.

THE BISHOP OF LONDON remarked that uncertainty as to the patron for the time being would only arise in exceptional cases, such as joint or alternate patronage, and the Governors of Queen Anne's Bounty were accustomed to deal with such cases.

Amendment *agreed to*; words *struck out*.

Clause, as amended, *agreed to*.

Clause 3 (Limitation of Act).

LORD CAIRNS moved an Amendment excluding benefices of under £300 net yearly value from the operation of the Bill. A line ought to be drawn somewhere, for if a retiring pension of a third was charged on a living of £100 a-year, a fit man could not be induced to accept a living thus mulcted. Moreover, in cases where endowments of £200 or £280 had been raised by subscription, the object of the donors would be defeated by the available income being thus diminished. He would not propose a higher limit, as the operation of the Bill might be thereby so restricted as to be useless.

Moved, at end of clause to add ("and shall not apply to any benefice under the net yearly value of £300.")—(*The Lord Cairns*).

EARL NELSON said, the noble and learned Lord's Amendment, if adopted, would seriously affect the benefits of the Bill. There were three instances within his own knowledge of benefices of which the incomes were below £300 per annum ; and in each case it would be greatly to the advantage, not only of the clergyman, but also of the parishioners, that they should come under the operation of the Bill. There was great difficulty in getting a curate in those cases of non-residence such as patrons would like to have in charge of a parish. In one case the clergyman now pays a curate £100 out of an income of less than £300. He would be glad to get away altogether, and it would be for the benefit of the parish that he should do so ; but without the security of the permanent payment under this Bill. He was obliged to stay on, though he could do no duty. In the second case, he was able to obtain the services of the son where the clergyman was past duty altogether by being able to promise the son the next appointment. The third case was that of a parish suffering from the non-residence of the clergyman from ill-health. All the vicar got from the living, which contained a population of 1,400 souls, was £60 a-year; and for that he was obliged to keep a curate, and give him the use of the house, and to pay him a salary of £120 per annum. All these cases could be dealt with under the clause as it stood in the Bill. A curate in charge who had no prospect of succeeding to the incumbency was less likely to be zealous in his duties than a new clergyman, who would be the possessor of the benefice, and who would have the full income at the death of the retiring clergyman. Moreover, incapacitated clergymen would frequently be better off if they retired on a pension, than if they remained in the parish and had to keep a curate.

THE BISHOP OF LONDON pointed out that the Bill would not be applied to any living without full inquiry into the circumstances of the case. It would not, therefore, apply to small livings indiscriminately; nor would the pension necessarily amount to a third of the income. He thought, therefore, that no limit need be imposed.

LORD DYNEVOR also opposed the Amendment, as the Bill was not compulsory, but left it optional with the clergyman who felt it difficult, from age or infirmity, to discharge the duties of his benefice, to apply to retire ; and it provided for a full inquiry in every case. He knew an instance in which a clergyman would gladly retire on a small pension, as he possessed a small property which would supplement his income, but could not afford to resign without a pension.

THE DUKE OF RICHMOND said, the danger was that small livings might be impoverished by being charged with pensions.

THE MARQUESS OF SALISBURY thought the standard proposed by his noble and learned Friend (Lord Cairns) was somewhat too high. To take one-third away from a living of £120 might preclude the parishioners from getting a new incumbent. The term "net yearly value" was likely to raise difficulties, and he would suggest that the gross value should be taken.

EARL GREY remarked that a clergyman would gladly take a living at a small remuneration for a time, if he had the certainty of succeeding to the full income on the death of his predecessor, who might be a very old man. The Bishop would use his discretion in every case.

LORD CAIRNS said, he would have been glad if the pension could be charged on some external fund ; but as it would be charged on the living, it was due to the parishioners that a small living should not be unduly impoverished, so as not to be worth any competent person's acceptance.

THE BISHOP OF WINCHESTER said, he could not give way upon this point, as it involved the whole principle of the Bill. If the Amendment of the noble and learned Lord were adopted, the very class of persons for whose benefit the Bill was designed would be excluded from its operation. The object of the measure was to allow incumbents of small benefices who could not afford to employ curates to withdraw, upon the understanding of a certain provision being allowed them during their lives. He trusted that their Lordships would not agree to the Amendment. He begged to apologize to the House for not being in his place when the Order of the Day for going into Committee upon the Bill was read; but his absence had been occasioned by unforeseen circumstances connected with his duties.

Amendment *negatived;* Clause *agreed to.*

Clause 4 (Exemption from penalties by 31 Eliz., c. 6, 12 Anne, st. 2, c. 12, &c.).

Lord CAIRNS said, that as the clause stood, it did prevent the persons to these arrangements coming under the Acts against simony.

Amendment *moved,* to leave out Clause 4, and insert

("The sum assigned as a pension to a retiring incumbent under this Act shall not be deemed a pension, sum of money, or benefit within the meaning of the 31st Elizabeth, chap. 6, or the 12th Anne, stat. 2, chap. 12, or any other Act.")—(*The Lord Cairns.*)

The Bishop of WINCHESTER said, he had no objection to offer to the Amendment.

Clause *struck out;* new clause *inserted.*

Clause 5 (How the provisions of the Act are to be put into exercise).

Lord CAIRNS moved two Amendments, one requiring that the rector or vicar availing himself of the provisions of the Bill should have held his living not less than 10 years before he was entitled to a pension, and the second providing that age should not be regarded as a sufficient ground for the grant of such pension unless the vicar or rector were 70 years of age. He also thought that it should be mentioned on the face of the Bill that the only grounds on which such a pension could be allowed were those of age, sickness, or other infirmity, whereby the vicar or rector was prevented from discharging with efficiency the duties of his office.

Amendments *moved,* after ("benefice") insert ("of which he has been the incumbent for not less than ten years"); and in same line leave out ("for the reasons therein stated") and insert

("On the ground that he is above the age of seventy, or, being under that age, that he is incapacitated by permanent mental or bodily infirmity from the performance of his duties.")

line 36, after ("him") insert ("upon the truth of the ground alleged and")—(*The Lord Cairns.*)

The Bishop of LONDON opposed both of the Amendments as interfering with the good working and with the objects of the Bill. With regard to the proposed limit of age, apart from incapacity of any kind, he was rather disposed to strike out age altogether from the Schedule.

The Bishop of WINCHESTER trusted that the first of the noble and learned Lord's Amendments would not be pressed. It was really at variance with the whole principle of the measure. With regard to the second Amendment, he had a great objection to introducing a hard-and-fast line of 70, or any other number of years. The adoption of any limit of age at all exposed them to the charge of giving a retiring allowance to a man who was still capable of performing his duty. It was difficult to fix upon any age at which it could be declared universally that a man was incapable. He wished the provisions of the Bill to apply to clergymen who were really unable, from age, continued sickness, or permanent infirmity, to discharge the duties of their benefices, and not to those who might be just above or below 70, but subject to no incapacity.

Lord WESTBURY drew attention to another defect in the clause. It contained no condition with regard to the private means of the retiring incumbent. A clergyman who was incapacitated by age, sickness, or infirmity might possess, through his wife, or otherwise, a private fortune which would render it altogether unnecessary that he should receive a retiring allowance; and therefore it would be well to give the pensions only in cases where the retiring incumbents had no other adequate means of support. He thought, too, that it would not do to fix upon the age of 70, and to say that when a man had reached that age he was disqualified from further discharge of duty. He thought that to fix the limit of age, and to fix it at 70, would bear against some of his noble and learned Friends who attended to the appellate jurisdiction of their Lordships' House. Moreover, the machinery for carrying out the objects of the Bill was unsuited for its purpose; and he would suggest that a statutory declaration as to his incapacity from the incumbent proposing to retire, supported by the testimony of a certain number of the resident parishioners, should be the preliminary required in these cases, instead of the cumbrous and expensive formalities provided by the Bill. If their Lordships approved a more expeditious and economical process for giving effect to the measure, he would prepare a set of provisions with that view, and move them on the Report.

EARL BEAUCHAMP begged their Lordships to confine their attention to one Amendment at a time, and not attempt to discuss miscellaneous suggestions quite irrelevant to the immediate question before them.

EARL STANHOPE hoped that the Amendment of the noble and learned Lord (Lord Cairns) would not be pressed.

LORD CAIRNS said, that as to his first Amendment, his object had been rather to elicit the opinion of their Lordships than to go to a Division on a proposal which might not meet with acceptance. With reference to his second Amendment, he proposed to omit all reference to age and make the grounds of resignation dependent on incapacity from mental or bodily infirmity—because if the incumbent were not infirm age would not be a ground of incapacity.

THE LORD CHANCELLOR, in answer to a suggestion of a noble Lord, that the case of a lunatic clergyman should be included, said, that great difficulty had been experienced in defining what a lunatic was.

Amendment (by leave of the Committee) *withdrawn;* Then another Amendment proposed and *agreed to.*

Clause, as amended, *agreed to.*

Clause 6 (Who are to be Commissioners).

LORD CAIRNS stated that as the clause was drawn the Bishop might in some cases nominate all the five Commissioners. He therefore proposed that one of them—the magistrate—should be nominated by the Chairman of Quarter Sessions, and that the clergyman of the same diocese who should act as Commissioner, instead of being nominated by the Bishop at discretion, should be designated in the Bill by these words—

> "The incumbent of the adjacent parish, the parish church of which is nearest in a straight line to the church of the benefice the incumbent of which desires to retire."

THE BISHOP OF WINCHESTER accepted the first part of the proposal, but could not agree to the latter portion.

THE BISHOP OF LONDON said, the object of the Amendment seemed to be to assign a geographical qualification for the Commissioners. But the object of the clause was to obtain the assistance of sensible and well-judging men: it was not always the nearest neighbour who was the best qualified, or would like to undertake the duties imposed by this Bill.

Amendment *withdrawn.*

LORD CAIRNS moved another Amendment, that the magistrate of the county who should nominate one of the Commissioners, should himself be nominated "by the Chairman of Quarter Sessions for the county or division of the county."

Amendment *agreed to.*

Clause, as amended, *agreed to.*

Clause 7 (Commissioners may examine on oath. Limitation of Pension).

LORD DYNEVOR said, this clause would be likely to defeat the object of the Bill, because a man would not retire on a small pittance. He hoped their Lordships would deal liberally with the smaller incumbents.

Clause *agreed to.*

Clause 8 (How vacancy in Commission to be filled) *agreed to.*

Clause 9 (Who to consent to deed of resignation).

LORD CAIRNS moved to omit the word "gross" and insert "net" in reference to the annual value of the benefice, and said that if the word were retained it would be very inconvenient to a new incumbent.

On Question, to omit ("gross")? *agreed to;* word *struck out.*

LORD CAIRNS said, it would be necessary to add at the end words to this effect—"Provided that no benefice shall at any time be subject to the payment of more than one pension;" otherwise, if the value of the benefice were from any cause reduced, the new incumbent would have to bear the entire loss out of the residue in his hands beyond the amount of the pension.

Amendment *agreed to;* Clause, as amended, *agreed to.*

Clauses 10 & 11 *agreed to,* with verbal Amendments.

Clause 12 (Pensioned incumbent amenable to ecclesiastical discipline).

THE BISHOP OF WINCHESTER moved the insertion of a proviso to the effect that proceedings might be taken against every offending pensioned clerk in the same manner as if he had remained incumbent of the benefice.

Motion *agreed to;* Clause, as amended, *agreed to.*

Clause 13 (Parsonage house to belong to new incumbent) *agreed to.*

Clause 14 (Acceptance of other preferment by pensioned incumbent to alter the pension).

Proviso *added,* giving power to the incumbent of the benefice to give notice to the Bishop that the retired clerk of the said benefice has undertaken clerical duties elsewhere, and has received remuneration for so doing: Whereupon the Bishop, after inquiry, may determine whether the pension to the said retired clerk shall cease, or be diminished, and in what proportion.

Clause amended, and *agreed to.*

Clause 15 *struck out.*

Remaining clauses *agreed to.*

The Report of the Amendments to be received on Tuesday next; and Bill to be *printed* as amended (No. 43).

House adjourned at a quarter before Eight o'clock, to Thursday next, half-past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, 14th March, 1871.

MINUTES.]—New Member Sworn—Right hon. James Stansfeld, *for* Halifax.

Public Bills—*Ordered*—Medical Act (1858) Amendment (No. 2)*.

Ordered—First Reading—Medical Act (1858) Amendment* [72].

Second Reading—Poor Law (Loans)* [68]; Trades Unions [28]; Income Tax Assessment* [64].

Committee—Report—Private Chapels [37].

Considered as amended—Stamp Act (1870) Amendment* [46].

Third Reading—Fairs* [60], and *passed.*

METROPOLIS—THE WELLINGTON MONUMENT.—QUESTION.

Mr. HEYGATE asked the First Commissioner of Works, What steps have been taken since November 1870 to secure the completion of the Wellington Monument by some sculptor of established eminence?

Mr. AYRTON said, in reply, that the subject had been under the consideration of Her Majesty's Government for the purpose of making some arrangement to secure the object mentioned in the Question of the hon. Member. Her Majesty's Government had not yet arrived at any final determination. He was informed that they would do so in the course of a few days, and that the Papers relating to the arrangement would then be laid on the Table of the House.

ADJUSTMENT OF LOCAL BURDENS.
QUESTION.

Mr. ACLAND asked the First Lord of the Treasury, When it is probable that the Bill on the adjustment of Local Burdens, referred to in Her Majesty's most gracious Speech, will be introduced?

Mr. GLADSTONE: Sir, the Bill on the adjustment of local burdens—a subject which I think has been completely mastered by my right hon. Friend the First Lord of the Admiralty—will continue to receive his attention, notwithstanding his change of office. With regard to the date of its introduction, I cannot yet name a day until we have read the Army Regulation Bill a second time, and made some progress with the Army Estimates; but it is our confident intention to introduce the Bill on some day before the Easter holydays.

THE INDIA OFFICE MUSEUM.
QUESTION.

Colonel SYKES asked the Under Secretary of State for India, When the zoological collections in the India Office Museum will be accessible to zoologists, as it contains types which the progress of zoology renders it desirable to consult; and, when the next sheet of the Indian Atlas will be published, some years having elapsed since the last sheet appeared?

Mr. GRANT DUFF: In reply to my hon. and gallant Friend's first Question, I have to say that the zoological collections belonging to the Secretary of State in Council are, to a certain extent, even now available to men of science, who can readily obtain permission to examine them. They examine them, however, I am sorry to say, under great difficulties, and difficulties of which I do not see the end; for even if the Secretary of State in Council were to erect on his property in Charles Street, as he has sometimes been advised to do, a building more worthy to contain the great museum and library which he possesses than the garrets in which they are now stowed away, nearly the whole available space would be occupied by those Indian productions which it is important to bring under the notice of the commercial classes in this country, and pure science would, I fear, come off very badly. In reply to my hon. and gallant Friend's second question, I have to say that the last sheets of the Indian Atlas—or, rather, quarter sheets, seven in number—were published on the 7th of September, 1870, and that another sheet (No. 114), one-half of which is new matter, will be published to-morrow.

Colonel SYKES asked, Whether the zoological collections were not really boxed up?

Mr. GRANT DUFF: Yes; they are.

ARMY—WEST INDIAN, CAPE MOUNTED, AND CANADIAN RIFLE REGIMENTS.

QUESTION.

Mr. DEASE asked the Secretary of State for War, Whether the officers of the recently disbanded West Indian, Cape Mounted, and Royal Canadian Rifle Regiments, compulsorily placed on half-pay, and who may be desirous of retiring from the service, will receive the over-regulation sums current in their late regiments, and which they would have obtained had their regiments not been disbanded?

Sir HENRY STORKS: In the unavoidable absence of the Secretary of State for War, I will, with the permission of the House, answer the Question that has been just put. The over-regulation price is given by the Bill to those officers who would receive it if the Bill did not pass. Every case will be decided by the Commissioners.

CASE OF THE "EPAMINONDAS."

QUESTION.

Mr. PLIMSOLL asked the Secretary of State for the Home Department, Whether his attention has been called to the committal to prison for three months by the magistrates of South Shields, on Wednesday last, of ten seamen for refusing to proceed to Genoa in the "Epaminondas," alleged by them to be unseaworthy, and admitted by the second mate to be making two and a-half inches of water per hour; whether it is true, as alleged, that the "Epaminondas" had grounded twice before sailing, after being loaded, requiring on the first occasion the assistance of three steam-tugs to get her off; whether it is true, as alleged, that the magistrates refused the application made on behalf of the men that the hearing should be postponed a day to enable them to obtain legal assistance; and, whether, if the facts are as stated in the Shields Paper, it is his intention to direct a re-hearing of the case?

Mr. BRUCE said, in reply, that as the Question had been put on the Paper only that morning, it was quite impossible for him to communicate with the magistrates; but if the Question were postponed he should be happy, to put the House in possession of the answer he might receive.

EXPLOSION AT THE SOUTH WALES COLLIERY.—QUESTION.

Mr. Serjeant SIMON asked the Secretary of State for the Home Department, Whether his attention has been called to the Coroner's Inquest, which commenced on the 5th instant and is now proceeding, to inquire into the death of Frances Bendall, caused by a Colliery explosion, which took place on the 20th February last at the South Wales Colliery, Cwmtilly near Newport, South Wales; and, if so, whether he has been informed of the fact that the Coroner before whom the said inquest is being held is a shareholder in the said Colliery Company; and whether he has taken, or is prepared to take, any steps to prevent so irregular a proceeding?

Mr. BRUCE said, in reply, that he had received a letter complaining of the conduct of a coroner who was at that moment conducting an inquest into a matter in which he was said to be personally interested. The answer that he had given was that he had no power to prevent a coroner from holding an inquest, and that any complaint of improper conduct should be brought under the consideration of the Lord Chancellor, who had power to remove him if he thought proper. He (Mr. Bruce) might add that, in his opinion, wherever a coroner was personally interested in an inquiry over which he presided—he was not prepared to say it was so in the present case—it was his duty to appoint a deputy.

IRELAND—OUTRAGE IN MAYO.

QUESTION.

Captain DAWSON-DAMER asked the Chief Secretary for Ireland a Question, of which he had given private Notice, Whether, in consequence of the murder which was committed in the County of Mayo on Saturday last, and the Ribandism prevailing in that county, the Government are prepared to move that it be an Instruction to the Westmeath Committee to consider the state of the County of Mayo also?

The Marquess of HARTINGTON: The Government have at present formed no intention of extending the scope of the inquiry of the Committee. It is quite true that this morning we received a Report of a very horrible, and, I fear, fatal outrage in the county of Mayo; but under any circumstances that particular outrage could not properly form part of the subject of the inquiry by the Committee, inasmuch as it may, and I hope will, become the subject of a judicial inquiry. With regard to the county of Mayo itself, I may state that though outrages have not entirely ceased, still there has been a very great and satisfactory improvement in its general condition. That improvement was alluded to by the Judge in his recent charge to the Grand Jury. Under the circumstances I do not see any reason at present for including the county of Mayo within the scope of the Westmeath Committee.

CONDUCT OF WAR ON LAND.

QUESTION.

Mr. GLADSTONE: I wish to put a Question to the hon. Member for East Surrey with regard to his Notice of Motion as to the rules for the conduct of War on Land. As it refers particularly to a proceeding which my hon. Friend wishes to urge upon the Government, I am bound to say I do not think it would be possible at this moment, when two of the greatest Powers of Europe are about to engage in negotiations for the settlement of definitive terms of peace, even if all difficulties were removed out of the way, for Her Majesty's Government to take any such step as my hon. Friend has in view. Though the question of the rules of war by land is one not unfitted to be introduced to the notice of the House at a seasonable time, Her Majesty's Government are of opinion that, founded as it probably would be at this moment on the recital of facts which might be very much contested, and which would be of a character very difficult to handle without giving pain or offence on one side or on both, such a discussion might be somewhat prejudicial to the cause my hon. Friend has at heart?

Mr. BUXTON said, he could not think of refusing to accede to the wish of the right hon. Gentleman. He would therefore postpone the Motion until after Easter. The subject was one of the greatest importance, and he fully intended to take the greatest care in handling it.

THE MAGISTRATES OF PERSHORE.

QUESTION.

Mr. P. A. TAYLOR said, he had put into the hands of the Home Secretary a Letter from one who was present on the occasion of the trial, and had seen the depositions, and given a very different account from that furnished to the right hon. Gentleman. He wished now to ask, Whether the right hon. Gentleman would cause further inquiry to be made into the facts?

Mr. BRUCE replied that he should be very happy to cause further inquiry to be made if it would lead to any satisfactory result. But though the accuracy of his Answer the other evening had, in some particulars, been questioned, the substance of it had not—namely, that the woman pleaded "Guilty" to a charge of stealing faggots, that one of the witnesses stated that he had heard her say that she had stolen more on the previous night, and that the magistrates had passed a sentence upon her of seven days' imprisonment. The only course which he could take with respect to the magistrates, if he considered their conduct unworthy of their position, would be to report them to the Lord Chancellor, and ask to have them removed from the commission of the peace. He did not think the facts would justify any such proceeding.

OFFICIAL SALARIES.

MOTION FOR A SELECT COMMITTEE.

MR. LAMBERT, in rising to move that a Select Committee be appointed to inquire into the Salaries and Emoluments of Offices held during the pleasure of the Crown by Members of either House of Parliament voted in the annual Estimates, said, the House would recollect that last Session he brought forward a Motion touching the salary of the First Minister of the Crown, which he withdrew after consideration, thinking it would be better to move for an Inquiry into Official Salaries generally, and also for other reasons, which he need not enter into. At the time he withdrew it, he gave Notice that he would, at the earliest opportunity this Session, move for a Committee to inquire into Official Salaries. The Motion was now before the House. His reasons for bringing it forward were short and simple, and he would not take up the time of the House with lengthy statistics. The first reason he should give was, that there had been no inquiry into the subject for 20 years, when there was a Select Committee in 1850. There was an inquiry previous to that by a Committee in 1830, 20 years anterior, when, by their recommendations, salaries were materially reduced, and had, with little alteration, remained at that reduction until the present time—exactly 40 years. To show this, he must give the House a few figures, with some of the leading salaries during that period. In 1830 the salaries were—for the office of First Lord of the Treasury and Chancellor of the Exchequer, then united, £10,400; for the Home Office, £6,000; for the Foreign Office, £6,000; for the Colonial Office, £6,000. In 1850, the offices of First Lord of the Treasury and Chancellor of the Exchequer were separated, each having £5,000 a-year. The salary for the Home Office was reduced to £5,000, as were also the salaries for the Foreign and Colonial Offices. In 1870 the salaries of those officers remained the same. Whilst the salaries had remained stationary during the 40 years, the country had not been standing still; it had been increasing in wealth and prosperity in a manner truly astonishing. The Revenue had increased from £50,933,000 in 1831 net to £75,674,000 net in 1870, and the population from 24,392,000 in 1831 to 30,964,000 in 1871, estimating the decade 1861 to 1871 at the same rate of increase as the three previous decades—that is, about 7,000,000 in the 40 years, and this notwithstanding the large emigration which had taken place. As the wealth and prosperity of the country had increased, there could be no doubt that the duties and responsibilities of the holders of these salaries had also considerably increased; while, at the same time, the expenses of living had largely increased during the 40 years. Hence, the necessity for some inquiry into the subject. He proposed that the inquiry of the Committee be limited to the Salaries and Emoluments of Offices held during the pleasure of the Crown by Members of either House of Parliament, voted in the annual Estimates. He withdrew the latter part of his Motion—namely, and also the Salaries and Emoluments of Judicial Offices in the Superior Courts of Law and Equity in the United Kingdom, and into the Retiring Pensions allotted to Judges—as a Judicature Commission was now sitting, and it was unnecessary to have two inquiries on the same subject. With the permission of the House, he would read a Minute from the Report of the Committee of 1830 on this subject, which very clearly defined the principle which should be acted upon in fixing the amount of salary of public officers. The Select Committee of 1830 stated, at page 447—

> "It is impossible not to recognize in its fullest extent the principle that the people have a right to have their service done at the smallest possible expense consistent with its efficient performance. In short, all the Departments of Government should be watched with the same view to economy in general which any individual would apply to the management of his own affairs. No consideration of mere money can be set in competition with the paramount evident necessity of securing for offices of great trust and confidence the highest class of intelligence and integrity. It has been frequently observed—and the observation being founded on truth and reason should never be lost sight of, that offices in a free country should not be put beyond the means of men of moderate fortunes. If salaries should be fixed too low a monopoly would be created in the hands of the wealthy, the power of selection by the Crown would be most injuriously restricted, and the public would be deprived of the services of men of limited means, educated with a view to the pursuit of liberal professions, a class furnishing more than any other the talents and industry suited to official life. It should further be considered that the higher offices of Government require an entire devotion of the whole time and attention of those who fill them; that their own private affairs must necessarily be neglected, and that, if care should

> be taken, on the one hand, to avoid the scandal of private fortunes amassed at the public expense, it is neither for the interest nor the honour of the country, on the other hand, that they should be ruined in its service."

He thought that some of the present salaries were too low—some might be too high. He would not trouble the House by going into the details of salaries, for that would be the duty of the Committee, should the House please to appoint it. To bear out his views he must take one single case, and he thought he could not do better than take that which was first on the list—that of the First Minister of the Crown, which was £5,000 per annum. He had been long enough in that House to see and appreciate the calls on the mental and physical powers of the First Minister of the Crown. Holding the highest official appointment under the Crown, he was the leading man in the country, and must have the greatest ability and judgment to manage the affairs of this great nation. The grave responsibility of the office was only equalled by the work it entailed. In the House of Commons, whether it was during the day, at midnight, or the small hours in the morning, there he must be either answering Questions or watching or taking part in the debates. His duties did not cease when he left the House, or when Parliament was not sitting, and his labours and responsibilities were, perhaps, the greatest that could fall to the lot of any man, whether it were the right hon. Gentleman he sat near, or the right hon. Gentleman, his Colleague, the Member for Buckinghamshire (Mr. Disraeli) who sat opposite to him. It was pretty well admitted that the sum of £5,000 was quite an inadequate remuneration for the heavy work and expenses attached to the office of Prime Minister. He, moreover, suffered indirectly by having no time to devote to his private affairs. He believed that the position of Prime Minister of this country was almost open to any individual in it who had great ability, industry, judgment, and perseverance. If, however, he should arrive at this distinguished position, he might find that the expense attached to it, if he should not have a good private fortune, so far exceed the allowance that he might be ruined by it. With the permission of the House he would now read some Minutes of Evidence of the Commitee of 1850, and there had been no inquiry into the subject since. Sir Robert Peel, in his evidence before that Committee, said—

> "In 1830 it was proposed by the Committee of that year that, when the two offices of First Lord and Chancellor of the Exchequer were united, there should be a saving in the double salary of £2,500—that is to say, that the person holding the two offices together should receive £7,500 a-year; and, in consequence of that suggestion of the Committee, I received at the rate of £7,500 a-year during the period I held office. When re-appointed to office, in 1841, I determined not to undertake the double duties after my experience of them in 1834-5. The salaries of the Secretaries of State were formerly £6,000; they were reduced in 1830 to £5,000 a-year."

In reply to the Chairman, he added—

> "Lord North, Mr. Pitt, and Lord Liverpool, when Prime Ministers, held also the office of Lord Warden of the Cinque Ports. I believe that in 1780 the emoluments of Lord North as Prime Minister were not less than £10,400 a-year. Those emoluments and advantages have ceased."

The patronage of the Prime Minister did not in the slightest diminish the personal expenditure. He did not deny the extent of the power or value of patronage; but he did not think they ought to be considered as equivalents for salary. A salary sufficient to enable the holder of it to maintain his office with a certain degree of dignity ought to be attached to it. Again, Lord John Russell said—

> "The general principle to be kept in view certainly is that you should not narrow too much your choice of public servants. If you say you will not give a salary which shall be sufficient without the possession of a very considerable private fortune, of course you limit the choice of the most important public servants to men who have good private fortunes. I know, for my own part, I never had a debt in my life until I was First Lord of the Treasury. I have now paid it off. But it is necessary to make some outlay in taking one of these great offices unless you have large private fortune. Question.—Is it within your Lordship's knowledge that several persons have suffered materially in their private fortunes by holding office, even those who have held office for many years? Answer.—I believe that certainly is the case, and I believe that every man who has been in public office would say that it is impossible to pay the same attention to your private affairs when you are holding political office, and in consequence of that I believe it is that many persons have found their private affairs much injured. One can well understand if a man is extravagant and is high in office that he may get into great difficulties; but men who do not seem to have any taste for extravagant expenses have injured their private fortunes. Question.—With respect to the whole of those First Lords of the Treasury whom your Lordship has now enumerated, with the exception of those who had large

private estates, is it not a matter of notoriety that they all died in debt? Answer.—I believe that to be the case.

He would ask the House if there was any ground to show that the salary of the Prime Minister should be so much less now than it was in the time of Lord Liverpool, Lord North, and Mr. Pitt, when it was £10,400 per annum? On the contrary, the duties of the office had increased with the increase of the population of this great country, and the expense of living had very much increased, as he had already shown. The following was a list of the highest judicial salaries and the annuities attached to them. Judicial salaries paid out of the Consolidated Fund — Lord Chancellor, including £4,000 as Speaker of the House of Lords, £10,000; two Judges of Appeal in Chancery, each £6,000; Master of the Rolls, £6,000; Chief Justice, Queen's Bench, £8,000; Chief Justice, Common Pleas, £7,000; Lord Chief Baron, Court of Exchequer, £7,000; total of the seven salaries, £50,000. The following annuities were paid from the Consolidated Fund for life, on retiring from office, in 1870:—Lord Chancellor, four receiving £5,000; Lord Justice of Appeal in Chancery, £3,750; Lord Chief Baron, Court of Exchequer, £3,750; Lord Chief Justice of Common Pleas, £3,750; Puisne Judge, Queen's Bench, two receiving £3,500; Puisne Judge, Common Pleas, £3,500; Vice Chancellor, £3,500; total annual payment of these annuities, £41,750. He now came to the list of official salaries, and he found them to be as follows:—First Lord of Treasury and Chancellor of Exchequer, united, 1830, £10,400; First Lord of Treasury, 1850, £5,000; 1871, £5,000; Chancellor of Exchequer, 1850, £5,000; 1871, £5,000; Secretary of Home Office, 1830, £6,000; 1850, £5,000; 1871, £5,000; Secretary of Foreign Office, 1830, £6,000; 1850, £5,000; 1871, £5,000; Secretary of Colonial Office, 1830, £6,000; 1850, £5,000; 1871, £5,000. Attached to these offices was a first-class pension not exceeding £2,000 per annum, in respect of a service of not less than four years. Nothing could be further from his intention than to imply that the eminent men who held judicial offices were over-paid; but what he contended was that the Prime Minister, with a less salary than any of those he had named, was under-paid. The sum of £5,000 per year was quite out of character with the duties of the leading man in this country, which far exceeded those of anyone in importance and responsibility. He maintained that the dignity and independence of the office very much depended on the amount of remuneration, and if that were insufficient the Prime Minister might be embarrassed with financial difficulties which would, to a certain extent, interfere with the efficient performance of the duties of the office. Many with whom he had spoken, both in and out of this House, had strongly expressed their opinion that the salary of the Prime Minister was too low, and that as his was the highest official position in the country, it ought to have a high official salary attached to it. He believed it was very far from the wish of this House and of the people of this great nation that our leading public men, on whom the very welfare of the country so much depended, and of whom we were so justly proud, should be inadequately remunerated for their services. The hon. Gentleman concluded by moving his Motion.

MR. DILLWYN seconded the Motion because he thought it desirable that a Committee should be appointed to inquire into the matter. He argued that some of the salaries paid to our Ministers were less than they should be; and if this were found to be the case, it would be unworthy of a great country like this to continue to underpay them. It might be shown that some of our Ministers—the Law Officers, for instance—were overpaid as well as underpaid; and he thought some information might be obtained which would be well worthy the attention of the House.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the Salaries and Emoluments of Offices held during the pleasure of the Crown by Members of either House of Parliament voted in the annual Estimates,"—(*Mr. Lambert,*)

MR. FAWCETT said, he hoped the Committee would be appointed. The economical question was, perhaps, that of the least importance in this inquiry; but the Committee might inquire whether salaries might not be reduced as well as increased, and whether some offices might not with advantage be abolished. Considering that this was an era of excessive expenditure, he hoped the result of the investigation of the Committee would be that if they did not recommend a reduction of the annual charge, they would not recommend an increase. He thought the opportunity might be afforded of carrying out an administrative reform of greater importance than saving a few thousands a-year. In his opinion the time had come when the salaries of all the higher officers of State should be reviewed, from this point of view, that the heads of all the Departments should be placed in a position of exact equality. Nothing was more improper or anomalous than that the President of the Poor Law Board should receive only £2,000 a-year, whilst the Secretary for the Colonies received £5,000 a-year. If the President of the Poor Law Board was sufficiently paid, the Secretary for the Colonies was enormously overpaid. If the Secretary for the Colonies was only sufficiently paid, then the President of the Poor Law Board was, to a corresponding extent, underpaid. At the present moment no Department of the State was more important, and none better tested the qualities of a statesman, than that of the President of the Poor Law Board. Not only ought he to be an accomplished financier, but to be master of the most abstruse principles of economic science. Yet the Presidency of the Poor Law Board was considered a comparatively inferior position to that of Colonial Secretary. The consequence was that if the President of the Poor Law Board, having a salary of only £2,000, did his work well, before he had been in office a couple of years he established a claim for promotion, and was removed to another office, however great the disadvantage to the administration of the Poor Law. A practical illustration of this system had just occurred. There was nothing he regretted more deeply than the removal of the right hon. Member for the City of London (Mr. Goschen) from the Poor Law Board. He was doing his work with great distinction. Had he been allowed to remain there two years longer he would probably have grappled effectually with the great problem of pauperism, and in the diminution of pauperism the country would have seen the advantage of his remaining in that office. Having, however, distinguished himself greatly in office, it was felt that he had a claim for promotion, and that it would be ungenerous to place a man over his head in the Cabinet. Now, if all the heads of Departments were equally paid, whether by £3,000, £4,000, or £5,000 a-year, all taking the same rank, and being, perhaps, called Secretary of State, the public service would not suffer as it now did from these constant and repeated removals. He had been told that, considering the great variety of complicated problems in the Poor Law Office and the intricate questions of administrative details arising there, it was impossible for any Minister to learn his work well, and get a sufficient grasp of the cases with which he had to deal, in less than one and a-half or two years. But the right hon. Member (Mr. G. Hardy), who gained a great reputation at the head of the Poor Law Board, and was carrying through many most useful reforms, was taken from the Department and made Home Secretary; and the Department had been sacrificed in just the same way now; so that if the head of the Poor Law Board showed himself an efficient administrator, the Board lost the value of his services.

Mr. RATHBONE said, he was glad the hon. Member for Brighton (Mr. Fawcett) had given the debate this turn. He (Mr. Rathbone) thought the system of treating some of the most important Departments of the State as stepping-stones to other Departments most fatal to the good management of the affairs of the country. If the right hon. Member for Oxford (Mr. G. Hardy) had remained at the Poor Law Board it could hardly be doubted that there would have been an entire reform in the Poor Law system years ago. When a similar result was expected from the experience of the late President (Mr. Goschen) the country was again disappointed, for he had been removed to a Department in which all his experience would be of no use, and his place had been supplied by a Gentleman (Mr. Stansfeld) who had displayed the highest abilities, but his experience had been gained in other Departments, and perhaps one of his greatest successes was in the Department of the Admiralty, to which the late President of the Poor Law Board had been transferred. There was a fear—he might almost say a terror — throughout the country lest the Vice President of the Committee of

Council should be promoted during the recent changes, and the country lose the benefit of his services at the Education Office. Last year the right hon. Member for Bradford carried a Bill for national education, which was by no means satisfactory to many of his supporters; but perhaps the most distinguishing feature of that measure was that it gave the Minister for Education enormous and despotic powers for carrying it out. But those powers were given, in a great degree, from the reliance on the idea that the right hon. Gentleman would himself carry out the provisions of the Bill. Under these circumstances, he thought that the expectations of the country would have been accomplished if the Education Department had been made into a first-class Department, and if the right hon. Member for Bradford had been placed at the head of it. He did not look upon these matters as being the fault of the Government, or, indeed, of any Government—it was the system that was to blame. It was easy to tell a private Member who called attention to the subject that there were admirable reasons for certain official changes; but it was impossible to persuade the country, so long as these anomalies existed, that promotion most advantageous to the public service was not frequently interfered with by Ministerial etiquette.

Mr. G. BENTINCK said, he had listened with some surprise to the proposal and the remarks of the hon. Gentleman opposite (Mr. Lambert) who brought forward the present Motion. He had always understood that the policy of the great Liberal party was a policy of economy and retrenchment; but what had happened? Simply this, that proposals were made every day from the Liberal side of the House involving additions to the expenditure of millions one day, and at another time, as for instance to-day, of only thousands. There seemed to be a constant wish on the part of hon. Gentlemen opposite to incur during this present spring a vast additional expenditure of public money; but he should have thought that these Gentlemen could hardly reconcile such proposals with the speeches which he had heard them make. The hon. Member who brought the Motion forward quoted certain figures with certain dates, and stated that the salaries of the higher Officers of State had remained stationary, while the wealth of the country had greatly increased. But had he shown that there had been any increase in the value of the services rendered by those Officers of State? He (Mr. G. Bentinck) would like to have some assurance on that point, for he thought there had been a great decrease in the value of the services to the public. [Mr. Gladstone: In quantity?] No; the right hon. Gentleman was quite right. The quantity was enormous; but the services had deteriorated in quality. And he therefore could see no reason for augmenting the salaries of the Officers of State. The hon. Gentleman (Mr. Lambert) had spoken of the enormous calls which were made on the physical powers of those officers; but he had made no distinction between those cases in which the affairs of the country were well managed and those in which they were mismanaged. Were they to increase the salaries of those who mismanaged the affairs of the country, and who could only claim a higher remuneration for doing mischief? Was that Liberal economy, and was that the way in which the affairs of the country were to be conducted in future? He believed that if the Committee now asked for were to be appointed the result would be that they would have to report to the House that on various considerations, some of which he had indicated, there ought to be a considerable reduction in the salaries of hon. and right hon. Gentlemen.

Mr. MUNDELLA thanked the hon. Member for Brighton (Mr. Fawcett) for having raised the present discussion. He (Mr. Mundella) believed that many of the recent Ministerial changes had been of an undesirable character, not through the fault of the Government, but, as the hon. Member for Liverpool (Mr. Rathbone) had said, through the fault of the system. In several of the recent changes it was felt by many people that the round men had been put into the square holes, and the square men into the round holes, and he, for one, regretted that, as an absolute calamity. His right hon. Friend the late President (Mr. Goschen) had been removed, for instance, from an office which he filled with great ability to another of greater dignity and honour. He might discharge its duties with equal ability; but it was a matter of regret that he had been removed from an office in which he had experience, and the duties of which he performed with satisfaction. But there was another case in respect to which he was more qualified to speak, and that was as to the changes at the Board of Trade. His constituents in the Chamber of Commerce at Sheffield wished to understand the meaning of those changes, and they asked where, now, was their Trades Marks Bill? The late Secretary to the Board of Trade took two years to study that matter, and made himself thoroughly master of it; and now, in consequence of these changes, there was no prospect of a Trades Marks Bill in the present year, or in the next. He complained of the system and not of any men who might be put into places for which they were not qualified by any previous experience.

MR. GLADSTONE. Although this discussion has been a short one, yet it has covered a rather wide field, and has deviated from an argument upon the expediency of appointing a Committee on Official Salaries into a discussion upon the principle upon which appointments are commonly made in the Government of the country, and upon such appointment as have recently taken place. It will therefore be necessary for me to notice both those subjects. With regard to the question of the Committee, I am bound to say that although I ought to approach it with some natural interest in favour of the Motion, I cannot think that the hon. Member for Buckinghamshire (Mr. Lambert) has made out a case. It seems to me that he evidently contemplated the augmentation of salaries. I thank him for the liberal disposition which pervaded his remarks, and for the manner in which he was disposed to point those remarks to the office which I have the honour to hold; but it is my distinct opinion, quite apart from any question of precise regularity in the adjustment of salaries, there is no case for an augmentation of the salary of that office. I believe that during the whole of my political life all my activity in the matter of salaries has been directed to cutting them down, and not to raising them, in the case of other people, and if I did not hold the opinion which I do hold as to the sufficiency of my own salary, it would come with a very bad grace from me to give the least countenance to any proposal whatever which contemplated the augmentation of that salary, for there would be a loss of credit and authority in attempting to apply principles of public thrift to other persons such as it would be difficult to estimate. But apart from the question of the augmentation of salaries, on which ground we should principally found our attempt to dissuade the House from pressing for this Committee, other topics have been introduced by my hon. Friend the Member for Brighton (Mr. Fawcett) my hon. Friend the Member for Liverpool (Mr. Rathbone), and other hon. Gentlemen. The hon. Member for Liverpool has said very kindly that he does not blame one Government more than another; but I want to know whether any Government is to blame in the matter at all? He says the system is to blame; but I deny it. What is the system upon which promotions within the sphere of Government are conducted? I can speak for myself and for others so far as I have watched them, and I say that on all occasions they may err by the infirmity of their own judgment, but not by the adoption of a bad system, for the system is to choose for every place that man who, upon the whole, is the fittest to go into it. My hon. Friend says some one acquires experience in a particular Department, and that he ought to be continued in that Department. Now, I have heard much lately about the regimental system; but we should have the regimental system with a vengeance if we are to be told that a man, having acquired experience in a particular Department, must always remain there whatever change of office may occur. No doubt there will be men with specialities who will have accurately got up the traditions of particular Departments; but I affirm that, although there is inconvenience for the moment in a transfer, still if you want to have statesmen, responsible as Members of the Cabinet for the whole of the affairs of this country, you must encounter that inconvenience and not hesitate in removing them from Department to Department, always being guided by the consideration which, upon the whole, is the best for the public service. I affirm, Sir, that the question of etiquette which has been supposed to intervene was never dreamt of in the matter, not even the just claims of promotion to which my hon. Friend alluded, and which the late President of the Poor Law Board never once thought of urging, but simply the consideration what, on the whole, would be best for the public interest has been the motive which has guided all these changes. But the hon. Member for Sheffield (Mr. Mundella) made a particular charge. Now, I ask him whether it is worthy of the equitable spirit which on every other occasion I have seen him display in this House to bring the charge he has done with reference to the Presidency of the Board of Trade, and to sustain that charge by the fact that since the change he had heard nothing of the Trades Marks Bill?

MR. MUNDELLA: I did not say so. I said my constituency had complained of the want of a Trades Marks Bill.

MR. GLADSTONE: And that complaint has been made on the accession of my right hon. Friend the late Chief Secretary for Ireland (Mr. C. Fortescue) to the Presidency of the Board of Trade? Now, I ask my hon. Friend whether he marked the course of my right hon. Friend the late Chief Secretary for Ireland during the last Session of Parliamen throughout the discussion of the Irish Land Bill, and, if he did, if he approved the discretion, the ability, the consideration, the firmness with which my right hon. Friend conducted himself throughout those difficult discussions—I ask him whether it is really rational to suppose that the capacity of my right hon. Friend is unequal to the task of dealing with a Trades Marks Bill? Why is this question to be brought up in the third or fourth week of the Session? Who has asked for the Trades Marks Bill? Where was it all last year? The Under Secretary for the Home Department said, my hon. Friend, took up the question, and prosecuted it with that indomitable energy which belongs to him. [Mr. MUNDELLA: I said, had mastered the question.] Well, mastered the question, and my hon. Friend spoke of the energy of the Under Secretary for the Home Department, which I admire as much as he does; but the Trades Marks Bill was never heard of before last year, and if the Trades Marks Bill was allowed to sleep during the whole of the last Session of Parliament, is it not a gross injustice to the present President of the Board of Trade to put this forward as a proof that he is unfit for the head of that Department? The truth is that in these appointments one important element is fitness for the prosecution and care of the Department; but it is oftentimes necessary to take into view other considerations which dictate changes as upon the whole desirable that in that particular point of view would not be desirable. It is very easy to criticize frequent changes of Office in a Government which involve undoubtedly the frequent severance of men from the experience they have gained; but I ask those who make them to recollect the peculiar, painful, and, as far as my recollection goes, unexampled circumstances in which the present Government has been placed. During the course of nearly 40 years I can remember no case in which, separately, and one by one, over the short period of eight months, three of the most important Members of the Government have been struck down either by death or by illness. Each of those changes, in cases so important, in offices so high, necessarily entailed many other changes; and, I am not ashamed to say—justice requires it of me—considerably impoverished the resources with which the Government was originally formed. It was not therefore to be supposed that we could, in every case, fill up the gaps and join together the openings made in the Government by losses so severe, occurring at short intervals one after another under circumstances of that nature. These were not like the changes made in a Cabinet when a political schism has occurred. When such a schism occurs, the whole has to be dealt with at once, and large allowances are necessarily made for the manner in which it may be dealt with. But these changes have been successive, one after another, after a very short interval, one not connected with another, and they have unitedly created very considerable difficulty in meeting the case thus presented to view. But with respect to the appointments made—and I do not pretend to claim for the present Government any freedom from error in the judgments arrived at—they have been dictated by the same considerations which have governed the general appointments—namely, the desire to make those appointments which, on the whole, would most conduce to the benefit of the public service. My hon. Friend the Member for Brighton (Mr. Fawcett) gave an opinion which in a certain degree I am disposed to contest and to qualify. He appeared to think that there is much that is anomalous and unjust in the present distribution of official salaries. I am not prepared to make that admission. I own it is very difficult to make the distribution of official salaries perfectly just as between the different offices, even at one given moment of time; but it is still more difficult to make it perfectly just if it is not subject to change. It is impossible as among different offices at different periods of time, and for this reason, that the relative importance of different offices varies very considerably with circumstances. For example, reference has been made to the office of my right hon. Friend the Vice President of Council for Education. That is an office which has been constantly growing till it has reached to such a height of importance that if its importance, measured by responsibility and duty, is found to continue, it may be very natural and proper that Parliament should pay attention to the re-arrangement of that office. But in many cases there is an opposite process. Take, as one particular instance, the Presidency of the Poor Law Board. That must at all times be an important office; but it would be a great mistake to suppose that, under ordinary circumstances, it is of primary rank and responsibility. The energy and capacity of the late President (Mr. Goschen) happened to concur with a temporary exigency for dealing with that great and complicated knot of questions generally indicated by the adjustment of local taxation; and it would be difficult to overrate either the labours or responsibility attaching to that office during the time my right hon. Friend was President. But these things vary from period to period. Even the Secretaryships of State have varied very greatly in our recollections. I remember when the Colonial ranked above the Home and even the Foreign Department in difficulty and responsibility; but, on the whole, the distribution of the salaries in high political offices may justly be affirmed to correspond with what good sense would dictate. The highest paid offices are likewise almost invariably the most laborious and the most difficult and responsible, and those which are less highly paid are in ordinary times and circumstances offices of a smaller degree of responsibility, and if a change occurs in the character and scale of an office you ought to take care that that has become a permanent, normal, and established fact before you make any great change in the Department. These are general considerations applicable to this question, and I would ask my hon. Friend the Member for Sheffield not to be so rapid in his conclusions founded on the Trades Marks Bill, but to give time and opportunity to the President of the Board of Trade, and that others may do the same in other cases. In that case I feel satisfied there will be no reason to complain of either want of disposition or want of capacity on the part of the holder of that office to discharge every duty attached to it. With regard to the immediate Motion, if the discussion had taken the turn of jealous inquisition into the emoluments of the Government, and a menacing attempt to effect sweeping reductions, we should have felt great difficulty in damping the energy and courage of the House of Commons in that direction; but as a different tone has prevailed, and as, upon the whole, the proposed Committee would rather tend to disturb the nerves of the Chancellor of the Exchequer, who is the guardian of the public purse, than to serve any other purpose, I hope my hon. Friend will not think it necessary to ask for the expression of the opinion of the House upon his Motion.

Mr. HERMON observed that some hon. Members had complained that the Trades Marks Bill had been lost sight of by the Board of Trade. For his own part, he hoped they would never see that measure again. It was clear the late President of the Board of Trade (Mr. Bright) did not approve it, for, had he done so, he had plenty of time to push it forward; and if, as had been remarked, it had been received with coldness, that was nothing more than it deserved, for a measure demanded more thought and adaptation to the circumstances of the case than were shown by that Bill. It would have plunged the commercial interests of the country into more litigation than any Bill ever introduced into the House. He hoped that any Bill which might in future be introduced on the subject would be of a different character.

Sir JOHN TRELAWNY said, he thought the right hon. Gentleman at the head of the Government had not exhibited so much moral courage as he might have been credited with, for no proposal would come with a bad grace from him which was consistent with abstract right and justice, and he would set a good example by advocating what ought to be rather than by defending that which is. He was of opinion that the Prime Minister deserved a much higher salary than he now received, and it was hardly fair to the Chancellor of the Exchequer to say that a proposal to increase that salary would disturb his equanimity, for the Chancellor of the Exchequer would be quite prepared to pay for efficiency. The democratic party in the House stood in their own light in this matter, as it was their policy to pay for services their proper value. The higher offices were practically closed against men without private means, who had not the chance of training themselves for these offices, for the sons of the aristocracy, sometimes very common-place men, took the lower grades of office, and being supposed to be fit to hold them because they could fold and docket papers and tie them up with red tape, were advanced without due regard to the higher qualities of statesmanship. If we wanted these higher qualities we must pay for them; if we wanted to get skill and aptitude and to have work well done we must pay people well. Earl Russell never found himself burdened until he became Prime Minister, and then he was oppressed with the demands that were made upon him on all sides. As no one without a fortune could take the office the salary ought to be increased.

MR. LIDDELL said, he was of opinion that the high officers of the State were indifferently paid, and he would like to see a Committee appointed to overhaul salaries and make such augmentations as were demanded by increase of labour. In addition to the performance of their heavy public labours, these gentlemen were required to discharge social duties, in consideration of which he thought separate salaries should be allowed. The right hon. Gentleman had raised the question of appointments, and in alluding to that subject it was impossible to keep out of view some of the recent appointments which had been made. As an independent Member of the House he had seen those appointments with regret; and he was convinced that more attention ought to be paid to the previous training of public servants placed in the great Departments of the State. The interests of the Army and Navy of England were too important to be trifled with; and the country would not be satisfied with the removal of a Minister from a sphere in which he had rendered eminent services, and transferred to an office for which he had received no training whatever. When such a change was made, a right hon. Gentleman had to go through a process of cramming in order to become acquainted with his new Department, which must, at all events, be prejudiced during the time thus spent in the education of the Minister. In the administration of naval and military affairs all the experience that could be obtained ought to be placed at the service of the country.

MR. WHITE said, he hoped the hon. Member for Bucks (Mr. Lambert) would withdraw his Motion. A man would be out of his senses if he entered upon public life with a view of making his livelihood out of it; and, indeed, it would be a calamity if there were a class of men who devoted themselves to public life with that object in view. Hitherto high public offices had been in this country generally held by men who, in seeking them, were not animated by such considerations. What had been said about the social duties of a Minister reminded him of what was stated by Sir Hamilton Seymour before the Select Committee on Official Salaries of 1850. In reply to the Chairman, he said—

> "I consider the giving of dinners an essential part of diplomacy; I have no hesitation in saying so. I have no idea of a man being a good diplomatist who does not give good dinners."

From what had been said by the last speaker it would seem that a man could not be a good Minister unless he gave good dinners. He believed, however, that the country would be better satisfied with a Minister who gave good measures. There had been undue reserve in debating this question, for they all knew that the Prime Minister got only £5,000 a-year; but the late Sir Robert Peel stated something more which had not been mentioned—namely, that if a Prime Minister had relatives who were qualified, he could give them appointments in Church and State, and that patronage he (Mr. White) thought was a main ingredient in this question of Official Salaries. If a Prime Minister had relations whom he deemed qualified to perform clerical or civil duties, on what grounds, it was asked, ought they to be shut out from holding such offices. The late Sir Robert Peel, in his examination before the Select Committee on Official Salaries in 1850, said—

> "It generally has happened that a Minister has appointed some of his relations to some offices or other for which he conceived they were qualified;"

and he admitted, in reply to Mr. Cobden, that "immense power," was in the hands of the Prime Minister, and the patronage to which he was directly or indirectly entitled amounted to several hundred thousands a-year. This patronage was an essential element which must not be overlooked in the consideration of this question. He hoped the hon. Member would not persevere with his Motion, against which the Prime Minister had protested, for it was singularly ill-timed, especially as the Government had been lately reducing its *employés* of the humbler class.

MR. LAMBERT said, he had not heard anything to change his views, and he could not, therefore, withdraw the Motion which he had brought before the House.

Question put, and *negatived.*

POST OFFICE—(SMALL PARCELS).

RESOLUTION.

MR. GRAVES, in rising to move the following Resolutions:—

> "1. That it is desirable to restore and extend those facilities for the transmission of Small Parcels by Post which the public enjoyed prior to the 1st day of October 1870. 2. That it is desirable to increase the number of Money Order Offices, especially in the rural districts, and to amend the rates charged for the transmission of Money Orders by establishing a scale of charge which shall press less heavily on the poorer classes of remitters,"

Said, it was with some reluctance that he again troubled the House on the matter of postal administration. The large and liberal concessions made by the Government last year would have satisfied all the requirements for the time, but for the fact, at the moment of conferring them, the equally valuable facility conferred by the pattern post in 1865 was withdrawn. When the pattern post was established, the Postmaster General, in more than one of his annual Reports announced to the public that he had established in the Post Office a new branch of business, which would afford unusual facilities for the extension of trade and commerce. It was an essential condition of the pattern post that no article sent through it should be of any intrinsic value; but, however easy this might appear to be in theory, in practice it was found impossible to determine what was intrinsic value. For instance, a single glove, shoe, slipper, or stocking might be sent as having no intrinsic value; but a pair of these articles could not go through the post, because an intrinsic value was supposed to exist. Again, a merchant in London could send by post a pattern or sample to a retailer living hundreds of miles away, but the retailer was not allowed to re-transmit the same article back to the merchant, or to a customer who might reside within a few miles of him. It was not to be wondered at, therefore, that these regulations soon broke down; and the pattern post drifted into what was, to all intents and purposes, a small parcels post. This proved a great advantage to the public, so far as cheapness and rapidity of transmission were concerned; and it also caused a marked development throughout the country in the manufacture and sale of small articles of trade. The Post Office took credit to itself for the facilities which had been given; and no later than the early part of last year, with a view still further to extend these facilities and to create more business, it reduced the charge for the transmission of small parcels. In October last, however, for some reason at present unexplained, the policy of the Post Office underwent a complete change. A retrograde step was taken, and the public were coolly informed that, for the future, the pattern post would be restricted to the transmission of articles which were *bonâ fide* patterns and samples, thus going back to the system which was found perfectly impracticable in 1865. If this change had been made in order to avoid any obstruction to the legitimate work of the Post Office, consequent on the introduction of the halfpenny stamp, the public would have admitted that to be a reasonable ground for a temporary withdrawal of the privilege. But it did not require a week to prove that the Post Office was perfectly equal to the emergency; and, if the reason which he had suggested had been the one which influenced the authorities, so soon as it was found that no hindrance was caused to the ordinary postal business by the introduction of the halfpenny cards, he thought the pattern post should have been restored. He did not know of any alteration which could have caused more disturbance to the whole daily current of our commercial and social intercourse. The Post Office had established a system upon which certain trades of very great importance to the industry of the country had sprung up; but no sooner had these trades began to develop themselves than that which was their main support was suddenly withdrawn. He maintained that the public were entitled to regard the use of the pattern post in the manner which had existed for so many years, as in some degree a prescriptive right; and he did not think the Post Office was justified in withdrawing the arrangement without stronger grounds than any yet stated. He could hardly do justice to his case without reading a few representative extracts from documents which had been forwarded to him. The first was from a Petition which had been presented from the Liverpool Tradesmen's Guild. It stated that, in the opinion of the petitioners, the privilege enjoyed by the public had created an entirely new traffic in very small articles; the facilities given by the post were highly advantageous to the public, and much valued; but the new regulations had caused injury to business, inconvenience to the public, and, they believed, loss to the Revenue. A Petition from the Guardian Society also stated that the new restrictions had, to a large extent, nullified the advantages intended to be conferred by the halfpenny postage. A memorial adopted at a meeting of seedsmen in London, set forth that the privilege which had been withdrawn had been a great boon to both buyer and seller, and had tended to develop the production of seeds. It was impossible for the postal authorities or themselves to tell what orders were for samples, or which for sowing; the result was indescribable annoyance to all concerned. A statement from Coventry showed how advantageous the post had been to manufacturers, and declared that the stringent rule now imposed had deprived them of a cheap and rapid means of delivering small articles at remote parts of the country, while it had led to the dismissal of many *employés* who had been compelled to seek engagements elsewhere. Then, as to the transmission of articles connected with science, he had a communication from a microscopical society, which stated that the society had received its death blow, because, under the new restrictions as to the pattern post, they could not send by post their prepared subjects. He had also a letter—one of many—from an indigent gentlewoman, who eked out a small pittance by fancy needlework, but now she could no longer send her work by post, and her small profit would be absorbed if she paid railway charges; and he had another letter from a person in similar circumstances, who complained that she could not get silk and other articles necessary for her work by post. The new regulation was that the articles which passed through the Post Office must be *bonâ fide* samples; and all articles having a saleable value were excluded. He would ask the House to consider how the new regulation was enforced. If any hon. Member sent for a small article to be supplied to him, he would find that in nine cases out of ten it would come through the post with the words "sample" or "pattern" marked legibly upon it. He had, to test the matter, sent orders to metropolitan tradesmen and others, and though the articles required were all for private use and of intrinsic value, the packages were all marked "patterns," with a 1*d.* postage in place of 2*d.*, 6*d.*, or 8*d.* There was, in fact, a systematic evasion of the Post Office regulations most demoralizing in the results. The Post Office officials themselves were unable to lay down any uniform rule as to what had or had not an intrinsic value, or was a *bonâ fide* pattern or sample. For instance, he had in his hand two envelopes which had received the approval of the Post Office as patterns, yet whilst one of these envelopes passed through the Post Office, the other was overcharged, upon the ground that it was not in conformity with the Post Office regulations, though it had actually been approved by the postal authorities themselves. A druggist at Brighton complained that he had been prevented from sending small boxes of pills through the post. He had written first to the Post Office to know whether he could send them, and, having received a favourable answer, he issued circulars that he would send the article post free all over the country. Now, however, the article was prevented passing through the post, and his trade was seriously injured. He had also a letter from a cripple, who got his living by knitting stockings; and when he had received an order, it had been his practice to send the first stocking to his customer through the post to see whether it would suit. After the new regulation he sent a stocking to a customer by post, and the customer was charged 2*s.* 8*d.* extra postage. On another occasion, the local postmaster returned the sample because the sender's was not a recognized place of business. These anomalies must continue so long as the present absurd regulations existed. Again, this system must produce great confusion, and it must, in the Post Office itself, create a serious hindrance to the rapid manipulation of letters, upon which the success of the Post Office so materially depended. Now what was the object attained by all this? So far as he could gather, of all the letters transmitted through the Post Office by inland post, over nine-tenths were sent by 1*d.* stamp, they being within the weight that would be carried for that amount, thus showing that the residue of letters over ½ oz., and patterns only realized 10 per cent of the gross inland postage. He hoped that some system would be devised by which all distinctions between articles should be done away with, so that, over and within a certain weight, all articles, be they letters, patterns, parcels, closed or open, it mattered not which, should be carried at one uniform rate; for he believed that until some such system were adopted the public would not be satisfied, and the Post Office would not be free from the unceasing system of espionage necessitated by existing prohibitions. There seemed to be a fear, on the part of some of the officials, lest the Post Office should undertake extra work; but Sir Rowland Hill, in his evidence before the Committee, when asked whether he was not afraid that the Post Office would undertake more than it could manage, said—"We are not afraid of that; the more work we get the more profit we make." He (Mr. Graves) believed that that opinion was as good now as it was when it was first uttered: if the work was excessive for the existing staff, increase it; let the remuneration of postal officials—the carriers especially—be in keeping with the increased requirements, and there need be no fear of the ability of the Post Office to fulfil every duty demanded of it. In looking into the history of the Post Office, he was much struck with the fact that over 200 years ago our ancestors were in the enjoyment of what we were now asking—namely, a parcel post, and it was a curious fact that in 1690 the then head of the Post Office was removed from his office for stopping parcels. He did not wish the present Postmaster General to be dealt with in that way. In a memorial which was presented to the King, it was stated that the Postmaster General forbad the taking of any band-box except very small ones, and stopped all parcels above 1lb. which formerly went by the 1*d.* post. There was another curious fact, as to the use that was made of the Post Office in and since those days. He found that among the articles sent were 15 couples of hounds to the King of the Romans, and these were sent with a free pass. There were also some parcels of cloth for clothing colonels; two servant maids, who were going out as laundresses to Lord Ambassador Methuen; two cows, and divers other things, the last being four flitches of bacon. Those facts were to be found in the Report of the Postmaster General for the year 1855, which would well repay perusal. One word on a point which had some considerable bearing on this question—namely, the effect of his proposal on the railways. He had always considered that it was an advantage to the railways that the Post Office should carry small parcels, because this system enabled traders to send the pioneers of larger quantities of goods that must go by railways. Be that as it might, he held it to be essential to the restoration and extension of the parcel system that the active co-operation of the railways should be secured; that we should not, as now, be dependent on one or two trains in the day to convey these parcels, but that every train going out of a station should be placed at the disposal of the Post Office. He believed that could be done, and that the railway interest would offer every facility should fair and reasonable proposals be made by the Postmaster General. On the other hand, the public would not permit such an opportunity to be spoilt if inadequate terms were offered by the postal authorities. The House would observe that he had divided his Motion into two sections. He would at once state his views on the money-order question, which he found to be so much associated with the parcel post, that he could not separate the two. In 1839 the utility of a money-order branch of the Post Office was first recognized by the Department. It was expressly stated by the Postmaster General in one of his Reports, to have been established for the purpose of enabling the poor to transmit money from one part of the country to another, and allusion was made to the Irish reapers going back to Ireland, who used to send their money through the money-order offices from town to town, that they might see that it was safe as they passed along. This money-order system in the first year turned over a sum of £300,000, and last year something like 10,000,000 of orders, and £20,000,000 sterling passed through the Post Office. From inquiries made at some of the large provincial offices, he found that more than two-thirds of the whole amount was transmitted in orders of £2 and under. Now, the charge for an order for any sum under £2 was 3*d.*, and it was not to be wondered at that such a charge should lead people to resort to other means of making remittances. They sent coin, contrary to regulation, in registered letters, and very large quantities of postage stamps were sent in payment of small sums. The Post Office authorities had systematically, year after year, asked the public to desist from sending coin and stamps, because of the temptation that the practice offered to the *employés*. In 1864 the registration fee was lowered with a view to stop the robberies which had become so frequent; and in 1865 the Postmaster General said that the result of the combined measures of reducing the fee and prohibiting the sending of coin had been satisfactory; that the number of applications for missing letters containing coin had fallen from 6,000 to 2,000 per annum; but, on the other hand, the good effect of this had been neutralized by the practice of transmitting postage stamps through the post; the applications for missing letters with postage stamps having increased in exactly the same proportion as the others had decreased. In the previous year when the Postmaster General was asked to reduce the charge for money-orders he refused to do so, because the 3*d.* charged was not sufficient to pay the costs; and he pointed out in his annual Report that many facilities for the transmission of small sums were afforded by postage stamps; so that the Post Office recommended the very thing that next year they appealed to the public in earnest terms to assist them in preventing. What he (Mr. Graves) suggested, was that they should try the results of reduction, and a large extension of money-order offices throughout the country—the rural districts especially. If a money-order for 10*s* or £1 would be given for 1*d.*—if a simple system was established which everyone could remember, such as a penny in the pound for an order—he believed we should hear no more of robberies of letters, and the Postmaster General would have no occasion to make further appeals to the public to assist him in preventing them. He regretted that some Returns which he had moved for had not been as yet put into the hands of Members; but it appeared that in 1860, after which year the Post Office ceased to give any Returns of the profits from money-orders, there was a gain of £28,000; and from a calculation he had made it would probably now amount to between £40,000 and £50,000, which was not a bad result upon £176,000 receipts. For his own part, he did not care whether there was a profit or a loss upon a particular part of the work done by the Post Office. He contended that the Post Office had no right to say that in one department there might be a loss, and therefore they would do nothing to foster it. The Post Office should be looked upon as a whole, and should give to the starved districts facilities which *per se* would not be profitable. Upon the same principle he would reduce the charge for small orders, even although there should be a loss upon that particular transaction. He could send his money by a cheque and a 1*d.* stamp all over the country; why should not Government, in the interest of the poorer classes, assist them in doing the same, where it could be done without loss? The Committee of 1838 said that the speedy conveyance of letters was the primary consideration, and revenue of minor importance, and that the Post Office should be looked upon not only as a source of revenue, but as a means by which a price was paid by the public for a particular service. Since he had given Notice of his Motion he had received many communications asking for an extension of the money-order system, and in many places it was complained that there were no facilities for the inhabitants obtaining money-orders. In urging the Government to make this concession, he was aware he was raising a question of revenue at the very moment when the Chancellor of the Exchequer regarded it as of more than ordinary importance. The same argument was used against him last year, or the year before, when he asked for a reduction of a halfpenny on the newspaper stamp. The whole history of the Post Office went to show that whenever it gave increased facilities the public took advantage of them; that the loss of revenue at the outset was soon more than recouped, and that a new business was established. So it would be, he firmly believed, in the present instance, and he had no doubt we should have the Chancellor of the Exchequer stating in aonther year, as he expected he would be able to do in the present one, when introducing his Estimates, that he was able to inform the House that no loss had been incurred by those concessions which the Government had so wisely and liberally made. Most men who had been in Switzerland knew what the parcel post was there, and how far it was in advance of the parcel post of this country. Those who had been in Belgium knew what the parcel and money-order posts were there. In France they seemed to have got greatly ahead of us, as money-orders up to 15 francs were granted for a charge of 10 centimes, and for sums of 1,000 francs the Post Office was responsible for a charge of 1 per cent. The French Postmaster General, in 1868 or 1869, called upon the Government to adopt vigorous measures to improve the system in France; and he reminded the Government that the Post Office was a system which was meant to serve the interests of the country, and that it should have no limits but these interests. He also recommended, in the same Report, that the profits from the Post Office should be given up for two or three years, to develop all the various branches of the Post Office work. Comparing the facilities in France with the facilities afforded in this country, it was a curious fact that in France there were 43,000 letter-boxes, which were emptied, at least, once every day in the year, while in this country we had 18,000 only. France had, also, a complete rural service by which letters were taken to every house in the smallest hamlet of the country; while in England, in country places, people had to send miles to the post office for their letters. Within the last few years travelling letter-boxes had also been established in France, and there were 500 of these travelling letter-boxes going on wheels up and down the country, so that people were able to post their letters as the box passed by. He had shown the necessity of amending the parcels post system, and it would be for the interest of the money-order system also that the charge should be reduced and the system largely extended. In advancing these two propositions he had endeavoured to disassociate from them every other issue. Hereafter it was possible that it might be desirable there should be a discussion on the Post Office itself, and the principles on which it was managed. But, for the present, he would rest satisfied with laying before the House the two simple propositions, to which he had called attention. They were, to his mind, great blots on the Post Office system. He believed by their removal confidence would be reposed in the institution, and if they were removed there was no reason whatever why the Post Office should not have before it a long career of great usefulness, and that it would confer benefits on the people of this country, which, in the words of the Postmaster General of France, had no limits but the limits of the public requirements. The propositions which he had brought forward he regarded as moderate. The Government would, he hoped, accept them in that light, and he now submitted them to the House, feeling satisfied that he had with him not only the sympathy of the country, but the judgment of the House. The hon. Member concluded by moving the Resolutions.

Mr. AKROYD seconded the Motion, observing that the Halifax Chamber of Commerce had come to a unanimous opinion in favour of the restoration of the pattern post. There was no doubt that the traders in this country who dealt in small articles would be benefited by the restoration; he would even venture to say that there was not a household among the middle and upper classes the ladies of which would not like to be able to send small parcels by post. Although, he might add, we in England had been the first to introduce a system of cheap postage, we had since remained comparatively stationary, while the continental nations had gone on improving upon our system, and the adoption of the Motion of his hon. Friend would, he felt sure, be hailed with satisfaction on all sides throughout the country.

Motion made, and Question proposed,

"That it is desirable to restore and extend those facilities for the transmission of Small Parcels by Post which the public enjoyed prior to the 1st day of October 1870."—(*Mr. Graves.*)

MR. MONSELL said, he fully appreciated the importance of the two questions which had been raised by his hon. Friend the Member for Liverpool (Mr. Graves) in the course of his temperate and able speech. He trusted he should be able to show him that the Government were not indifferent to the considerations which he had advanced, and that he would be satisfied with the proposals which he was about to lay before the House. Before, however, he proceeded to explain those proposals he must venture to comment on the comparison which had been drawn by his hon. Friend between our postal system and that of foreign countries. His hon. Friend had alluded to the importance of establishing some understanding between the Post Office and the railways; but he must remind him that the relations which prevailed among us between the Post Office and the railways were very different from those which existed abroad. In the case of France, for instance, except for special trains, the Post Office had not to pay one halfpenny to the railways. In Belgium many of the important railways belonged to the State, and no payment was therefore made to them; while on most of the other lines there was a gratuitous conveyance of mails stipulated for when the lines were conceded, the total payments last year having amounted to only £1,307. Again, in North Germany there was no payment made except for heavy parcels carried by State railways, and for all parcels by private railways. It was clear, therefore, that there was a wide distinction between our position in that respect and that of foreign countries, and yet in very important cases our Post Office charges were less than those of France, Belgium, and North Germany. His hon. Friend very properly remarked that the greater portion of the postal revenue was connected with the sending of penny letters. Now, in the case of France the charge for letters was double the charge in this country; in that of Belgium the same; while in North Germany the scale of charge was one and one-third. Indeed, in the very instance of the pattern post the present charge in this country was lower than that in France, Belgium, or North Germany. The difference between the rates was—in those countries 3*d.* was charged for 10 ounces, whereas with us 12 ounces were sent for 3*d.* In the next place, he must take exception to the hon. Gentleman's history of the rise and progress of the pattern post. The Post Office had never relaxed the essential condition which had been established, that nothing should be sent by pattern post except patterns. He quite admitted that the rules of the Post Office in that respect had been evaded to a considerable extent, and that it was quite impossible to distinguish between patterns and other articles. Take the case of the seedsmen. Suppose a sorter had to decide between an ounce of picotee seed and half a pound of grass seed. The latter might be a sample; but he would, perhaps, decide that it was not a sample, while he would pass the other, which might be no sample. Such a distinction, therefore, must be absolutely given up. If the transmission of patterns by post was to be maintained it was absolutely necessary that parcels should go by post. But it was very important, indeed, in a matter of this sort to arrive at some system which contained within it the elements of finality. In politics unsettled questions were the cause of grave mischiefs, and in commercial affairs, also, they had the worst possible effect; for people did not know where they stood, and could not make the necessary calculations for carrying on their business when the conditions on which the business depended were being constantly altered. In considering this question he would put aside altogether the question of newspapers, books, and trade circulars, which involved considerations of a different order. Newspapers and books were carried at a low rate, for the sake of the education and general information of the people; and, with regard to trade circulars and halfpenny cards, experience showed that they had not supplanted in any great degree the letter post; but that a great number of announcements hitherto sent by hand, or not sent at all, were now conveyed through the Post Office, the general increase in the number of letters being not diminished by the concession, in obtaining which his hon. Friend took so important a part. Putting aside, therefore, these branches of the service, it appeared to him, with reference to the pattern post, that there was no ground for any distinction between closed and open parcels, and that parcels of whatever sort should be sent either closed or open as the sender desired. Among other results such a change would have the important advantage of diminishing the work of officers in the Post Office, because it would render unnecessary an examination to determine to which class each article belonged. In this way the change would produce economy; and it was also founded on reason and common sense, for if any system were desired containing the elements of finality the present absurd distinction must be abolished, and closed and open parcels must be allowed to go henceforth at the same rate. Now, the next point that they had to consider was, what should the limit of the weight of parcels be? He had consulted a number of persons from different parts of the country, having had the advantage of receiving a deputation representing the greater number of the most important manufacturing towns in the North of England, and the general opinion was that if the limit of weight were fixed at 12 oz. the public would be satisfied. There was no great desire to send any larger parcels by the Post Office. [An hon. MEMBER: Yes, up to a pound.] If the House went with him, as he thought it generally did on these two points, the next matter for consideration was one of vital importance—what should be the initial charge? There could be very little difference of opinion among Gentlemen who really paid any attention to this subject. The mainspring of our whole postal system was the penny letter. Ninety-five per cent of the letters sent were penny letters, and 90 per cent of the postal revenue was derived from the same source. In the year 1863 the number of these letters sent through the Post Office was, in round numbers, 600,000,000, and that number had increased now to 800,000,000. The increase had contributed somewhere about £800,000 a year to the Revenue. It was by means of this initial penny that the Post Office had been able to supply distant districts, establish new modes of conveyance, and make experiments with regard to the pattern or parcel post. The efficiency of the Post Office depended on the maintenance of that initial penny. If they retained it, their system would work satisfactorily, whatever they did; but, if they were to abandon it, they would abandon at once £1,500,000 a-year. The Post Office, instead of being a revenue department, would become merely a spending department; there would be all those difficulties which were experienced by other spending departments in the attempt to carry out any public advantage which cost money, and the Post Office, instead of every year conferring greater blessing upon the people, would cease its career of progress and become a saving and niggardly instead of a liberal and generous department. He therefore submitted that the initial amount should be a penny. He would give the rates founded on that principle which he should ask the House to adopt. For parcels and letters of all sorts, closed or open, making no distinction between them, the charge would be—

> "Not exceeding 1 oz., 1*d.*; above 1 oz., but not exceeding 2 oz., 1½*d.*; above 2 oz., but not exceeding 4 oz., 2*d.*; above 4 oz., but not exceeding 6 oz., 2½*d.*; above 6 oz., but not exceeding 8 oz., 3*d.*; above 8 oz., but not exceeding 10 oz., 3½*d.*; above 10 oz., but not exceeding 12 oz., 4*d.* 12 oz. to be the limit of weight for letters.

The present rate of letter postage was, for letters not exceeding ½ oz., 1*d.*; above ½ oz., but not exceeding 1 oz., 2*d.*; 1 oz., 3*d.*; 2 oz., 4*d.*; and so on. By the present pattern post, the charge for 12 oz. was 3*d.*; under the arrangement he proposed it would be 4*d.* Therefore, those whom his hon. Friend represented would make a sacrifice to this extent; but, on the other hand, they would gain the advantage of having their parcels closed or open as they pleased. The postage upon letters would be considerably reduced, and upon the whole the advantage to the public, by the proposal he now made, would be considerably greater than that which would be got if they were to relax the present rates and accept the proposal of his hon. Friend the Member for Liverpool. The plan of the Government was a sufficient answer to the supposition that the Chancellor of the Exchequer would be likely to interpose an obstacle in the way of the munificence of the Post Office, because under the plan of his hon. Friend the loss to the Exchequer would be less than that which would arise from the proposal of Her Majesty's Government. But the advantage of the proposal made on the part of the Government was that it was founded upon a sound principle, and that, containing within it the elements of finality, they might hope that the public would be satisfied, and that no future changes would be called for. Perhaps the noble Lord (Lord Henry Lennox) might say the plan proposed involved inconsistencies; but it was impossible to avoid inconsistency in any plan. Would the noble Lord, for instance, propose that the postage on *The Times* should be at the same rate as a letter? Then instead of a halfpenny *The Times* would be charged 1*s*. Or, would he propose that there should be any distinction between the postage on a parcel or letter from London to Hampstead, and that on a parcel or letter from the Orkneys to the Channel Islands? There must be such inconsistencies, and the object was to have as few as possible, and to adopt a system which, upon the whole, should be logical, definite, and precise. These, he thought, were the characteristics of the proposal before the House. With regard to what had been stated by his hon. Friend in respect to the co-operation of the railway companies, he had to observe that nothing would be more agreeable to him than to come to some arrangement with the railway companies. It would be necessary for him, he believed, to introduce a Bill in regard to the alterations now proposed, and before that time the railway companies would have had the opportunity of considering the subject, or some arrangement might have been possibly arrived at between them and the Government. He should most willingly co-operate in any such understanding, which, he thought, would be beneficial both to the public and to the companies, and it would then become possible, that, not only two or three trains, but all of them, might be utilized for the conveyance of letters. With respect to the question of money-orders he confessed he felt very much with his hon. Friend. He admitted that the main object of those orders was to benefit the poorer classes, and it was distinctly stated at the time they were first established that revenue was not their principal object. His hon. Friend had somewhat understated the profit derived from money-orders by putting it at £45,000. [Mr. GRAVES: Between £40,000 and £50,000.] He believed, in fact, that the profit on the £20,000,000 of orders annually issued was about £55,000 a year. The Money Order Office had entirely out-shot its original purpose, and had become a great banking concern for retail tradesmen. Take, as an example, the excess of payments over receipts in places were articles in general use were largely manufactured. In Birmingham the orders exceeded the issues by about £250,000 a-year, and how largely orders were sent on business was shown by the fact, that in London about 35 per cent of them were paid through bankers. In King Street, Covent Garden, 35 per cent of the amount sent for money-orders was sent by persons connected with Covent Garden Market, and in other parts of London the proportion was about the same; in some it was even rather higher. He was informed that the average cost of money-orders to the Post Office was about 3*d*. The money-orders for sums not exceeding £1, amounted to £4,271,000; not exceeding £2, to £2,743,000; and the whole amount of all the orders was £9,967,000. Now, it was quite clear that if the precise proposition of his hon. Friend were adopted, there would be not only an immediate and considerable loss of revenue, but that the more money-order business the Post Office did the greater would the loss become. If the rate were fixed at 1*d*. per pound, the Post Office, instead of gaining about £55,000 annually, would lose about £5,000 a-year, and would lose more and more in proportion as the business was extended. The proposal, therefore, he should be disposed to make would be to substitute the following for the present rates:—For sums under 10*s*., 1*d*.; for 10*s*., and under £1, 2*d*.; for £1, and under £2, 3*d*.; for £2, and under £3, 4*d*.; for £3, and under £4, 5*d*.; for £4, and under £5, 6*d*.; for £5, and under £6, 7*d*.; for £6, and under £7, 8*d*.; for £7, and under £8, 9*d*.; for £8, and under £9, 10*d.*; for £9, and under £10, 11*d.*; and for £10 orders, 1*s.* That proposal would accomplish one of the objects of his hon. Friend, and would confer on the poor a very great benefit. Moreover, it would, he thought, tend to produce, as his hon. Friend said, the great benefit of putting a stop to the most fertile source of demoralization and theft among the *employés* of the Post Office, which arose from the transmission of postage stamps. No doubt the quotations that they had heard that night from his hon. Friend proved the inconsistency of the Post Office in that respect in former times; but it was found that a very great proportion of cases of theft arose from the transmission of postage stamps, and not only did it injuriously affect the morality of the letter-carriers, but it was also doubly detrimental to the public, because it had generally happened that, where cases of theft had been brought home, the accused person was found to have abstracted and destroyed a large number of letters in the hope that they might contain stamps. He also proposed that postmasters should not in future be allowed to purchase stamps. He did not know whether that would have much effect; but, at any rate, it would help to free them from any participation in a system calculated to place temptation in the way of the servants of the Post Office. He was afraid that the statement he had made must have been felt by the House to be dry; but it affected the interests of multitudes of their fellow-countrymen, and if they could arrive at a just solution of the questions he had dealt with, they would not only contribute to the comfort of the wealthy, but would, by facilitating the exchange of the productions of industry, improve the condition of those who live by their daily toil.

Lord HENRY LENNOX said, it had not been his intention to trouble the House with any remarks; but after the pointed challenge thrown out by the Postmaster General he felt obliged to say a few words. He congratulated the hon. Member for Liverpool (Mr. Graves) on the triumph he had gained, and he also congratulated the Postmaster General on the statement he had made of his views, and on the abolition of the distinction between open and closed parcels; but, on behalf of the society which he represented, and which had spent much time and money in the prosecution of the subject, he could not subscribe to the doctrine of the right hon. Gentleman that his present proposals had the merit of finality. They were a great step in advance; but he hoped some day to be able to persuade the right hon. Gentleman to extend a little further the boons he was about to confer on the community. The right hon. Gentleman seemed to grudge the exceptional privilege enjoyed by *The Times* and other newspapers; but that privilege ought not to be grudged, because the Press of this country must be looked upon as a most useful and cheap means of assisting education. He would suggest to the right hon. Gentleman the expediency of considering whether he could not make arrangents to extend to periodicals published once a fortnight the same privilege as that given to newspapers.

Mr. MAGNIAC said, he believed the scheme, as a whole, would afford great facilities, and would meet the approbation of the country. Thanks were, he thought, peculiarly due to his right hon. Friend the Chancellor of the Exchequer, whose hand was plainly visible in these new arrangements. No doubt, there must be a material disturbance in the receipts of the Post Office for some time. There would also be a certain amount of expense in despatching heavy parcels by the post. He hoped there would be no delay in the delivery of ordinary letters in consequence of an increase in the heavier parcels. Letters ought to be delivered at the earliest possible moment. He hoped this point would receive the attention of the Postmaster General. With regard to railways, no doubt the Government did not occupy the same position that foreign Governments did; at the same time they possessed a very powerful lever in the enormous surplus revenue of the Post Office. They had in this case a very good object, and might make a very serious impression on the railway companies. It would be highly desirable if postal facilities were given at the railway stations, which might be done at a very small cost. Only a few days ago he was staying at the house of a friend, about 18 miles from London, which was seven miles from the nearest post town, while three railway stations were within a radius of three miles. Many other anomalies also existed, which he hoped the right hon. Gentleman would exert himself to discover and redress. If he did so, he was quite confident he would give universal satisfaction to the country.

MR. WHEELHOUSE expressed the hope that the proposals of the Government would be brought into operation at the earliest possible date. He also directed the attention of the Postmaster General to the fact that in London the pillar letter-boxes were often not large enough to hold the number of letters required to be posted in them on Sundays.

MR. WHITWELL said, he did not expect to hear anything about finality as applicable to any scheme emanating from the Post Office Department, which, as a system of progress and extension, was peculiarly beneficent to the country at large. He was not quite satisfied with the plan now proposed. He regretted that the suggestion of the hon. Member for Liverpool (Mr. Graves) for Post Office money-orders of small amounts had not been adopted. It would have been a great convenience, especially to the poorer classes. The expense of a money-order must be very small, certainly not more than 1*d.*, and the increase in the number granted must have been so great that any loss of revenue would have been easily made up. He hoped before the plan actually came into operation some modification would be made in it with respect to Post Office money-orders. It also occurred to him that the limit of parcels should have been fixed at 16 oz., instead of 12 oz., because that was an ordinary standard of commerce, and it would be extremely convenient if the Post Office undertook to carry parcels of that weight for 6*d*. There was another subject mentioned in the Resolution of the hon. Member for Liverpool which had not been alluded to by the Postmaster General—an increase of money-order offices. He believed the more those offices were disseminated the more would the income of the Department be increased. He congratulated his right hon. Friend on the plan he had proposed, as far as it went.

MR. EYKYN said, he would avail himself of this opportunity of urging on the right hon. Gentleman the necessity of considering how soon he could enable them to obtain cheaper telegrams than they could at present. That was a subject in which mercantile men took a very deep interest. He hoped there would be such an expression of opinion on this matter as would lead to a reduction to that level which was promised previous to the transfer of the telegraphs from the companies to the Post Office.

MR. J. G. TALBOT said, he hoped money-order offices would be increased in the rural districts. In many parts of the country it was impossible to obtain those facilities which were required in this respect, and he hoped some assurance would be given that the subject would not be lost sight of. With regard to the limit of the weight of parcels, he thought there was nothing to complain of. Parcels over 12oz. came fairly within the scope of railways, and there was a danger, if the limit in weight were further extended, of seriously adding to the labours of the already overworked and underpaid letter-carriers.

An hon. MEMBER asked the Postmaster General, whether he could fix the date when the alterations would come into operation?

MR. MONSELL said, that it was not yet possible to assign the precise date. With regard to the other points that had been raised he hoped that some increase would be made in the number of rural money-order offices; it had been decided to reduce the amount of guarantee now required for money-order offices. In respect to the price of telegrams the difficulty was really a physical one. There was not room for increased business in the present buildings, neither were the clerks sufficiently trained to manage it with efficiency. The reduction in the tariff must, therefore, be postponed.

MR. GRAVES said, after the assurances which had been given, and the information which had been communicated on the part of the Government, he should be wanting in appreciation if he cavilled about the minor details of their scheme, though he could have wished a lower and simpler scale for money-orders had been adopted. He tendered them his thanks for the enlightened concessions they had made, and congratulated the Postmaster General not only on the nature of the announcements he had made, but also on the tone and spirit in which he had made them. It augured well for the future of the Post Office that the right hon. Gentleman thoroughly appreciated the responsibilities of his post. He was satisfied, as he believed the country would be satisfied, with the scheme of the Government, considered as a whole, and he therefore asked permission to withdraw his Motion.

Motion, by leave, *withdrawn.*

MR. GRAVES said, there was another Notice on the Paper in his name of a Motion in reference to postal administration; but it would be more convenient to discuss the matter on another occasion, and he would not, therefore, propose it now.

LAND TRANSFER.—OBSERVATIONS.

RESOLUTION.

MR. G. B. GREGORY, in rising to call the attention of the House to the Report of the Royal Commissioners on the operation of the Land Transfer Act, and to move "That it is expedient to afford further facilities for the declaration of title through the office of Land Registry," said, that the matter was one of considerable importance, and well worthy of the consideration of the House. In the year 1857 a Commission was appointed to consider the whole question of the transfer of land and the registration of titles, and they reported that there ought to be throughout the country a compulsory registration of title, but they felt the difficulty inherent in such a scheme—namely, that it would be impossible to compel the registration of antecedent titles—and they proposed for the future to start with the registration of the conveyance on any transfer that might take place; but the effect was this—that a long period of time must elapse before a title could be acquired by means of such legislation; and therefore, in 1859, Lord Cairns, who was then Solicitor General, brought in two Bills —one for the establishment of a Landed Estates Court, and the other for the establishment of a Land Registry, and he proposed to give the Landed Estates Court the power of declaring titles, and it was a matter of great regret that that Bill did not receive the sanction of the Legislature. They had heard that land was prevented from being distributed by entails and settlements; but he believed that the great reason why it was not more distributed was the difficulty and the expense of investigating titles. There was, in fact, large quantities of land in the market, but parties were deterred from purchasing for those reasons. In 1862, the subject was again renewed, and two Bills were brought in, and passed, by one of which power was given to the Court of Chancery to grant a declaration of title, but that Act had become a dead letter. The other Act, which was in more active operation, was that by which a land registry was established to register titles. But that Act was not compulsory. A person was empowered to register his land, and thus acquired an indefeasible title, and could put the property into the market. But the grant of a certificate of title was subject to three conditions which fettered the operation of the Act. These conditions were that a title must be shown to be indefeasible; that the boundaries of land must be mathematically defined; and notice given to every adjoining occupier, and to the party to whom he paid rent, and that all subsequent dealings with the land must also be registered. With regard to the indefeasible title, it was required that it should be for a period of 60 years, and the title had to be traced through the whole of that period, showing that all charges on the land had been met and had been duly and legally released; that all deeds had been properly executed, and all pedigrees and derivations of title had to be shown by legal evidence. Of course, there were many things in a title which must be matters of inference and of presumption rather than of proof; and he entered into the details of a particular case to illustrate the difficulty of satisfying all the conditions imposed. In actual practice minute points were not regarded; but what was done was this. A party desiring to sell had his title investigated by his counsel or solicitor, and if there appeared to be any small defects, they were guarded against by special contract, or by conditions of sale, and one usually adopted and most efficacious in its operation was to throw on the purchaser the expense of clearing up of any defect. The effect of this was that minute points were waived or disregarded. The second condition of registration was that the boundaries of estates should be clearly defined, and notice of the intention to register was to be given to all adjoining landowners, and to all occupying tenants, a regulation that frequently entailed considerable expense and trouble. By rendering such notice imperative persons were encouraged — and, indeed, almost compelled—to make adverse claims, and to revive those which had been long dormant. The third requirement was that all subsequent dealings with the land should be registered and pass through the office. In the case of the subdivision of land for building purposes, it was a great hardship upon poor people who bought a plot of land for £20 or £30 that they should be compelled to pay an additional sum of £3 or £4 as the expense of registration. In 1867 a Royal Commission was issued to inquire into the operation of this Act, and in 1868 they presented a Report, which consisted of two parts—findings and recommendations. As regarded the findings the Commissioners did not differ; but with respect to the recommendations they differed considerably. In dealing with the question of marketable and indefeasible titles, they stated that what the purchaser required was not an indefeasible title, but such a title as would make him reasonably secure, and so little did they want an indefeasible title that they would overlook certain blots and defects. There was considerable difference of opinion as to the remedy to be applied. The Commissioners suggested that they should register the first conveyance—start with that as the root of the title, and that the register and title should take effect from that date. But there was this great difficulty — that no remedy could by this be applied to the existing state of things, and, until after the lapse of 30 or 40 years, the delay, expense, and trouble to which people were now subject, must continue. The question was whether some remedy could not be applied which would be more immediate in its action, and more beneficent in its operation, and by which the delay, trouble, and expense of continued investigation of titles might be saved as at present. Before offering property for sale a vendor always had his title investigated, but this by no means bound the vendor, who had to look into the matter again, and the second investigation was money absolutely thrown away. But no solicitor could give it up. He was responsible for any defect which might appear as to the title, and could waive nothing. What he would suggest was this. There was an office of land registry in operation, and power was given to grant certificates of indefeasible title. Let that office certify such titles as were ordinarily given. Let them grant a certificate that a man possessed a good title, subject to conditions and qualifications. Let the title be good so far as it was certified; but let them make certain reservations, and the man taking the certificate could then go into the market and say—"Here is my title certified so far—you shall have any defects removed at your own expense, or you may waive them if you do not choose to go to that expense." If this proposal were adopted, the large sums which were now spent in investigating titles would be saved, and the transfer of land would be rendered far easier than it was at present. The hon. Gentlemen concluded by moving his Resolution.

MR. WREN HOSKYNS, in seconding the Motion, said, he felt obliged to the hon. and learned Member who had introduced the question, than which one more important could hardly be brought before the House. He (Mr. Wren Hoskyns) had for a long time taken a deep interest in this subject, having watched the effect of the existing law during the period to which his hon. and learned Friend had directed the attention of the House. In the Report of the last Commission which sat on that subject, the Commissioners expressed their opinion that before any successful effort could be completed for the transfer of land, there must be a revision of the law of real property altogether. The difficulty which really applied to the transfer of land arose in consequence of the length of title that must be examined into; and so long as the title must be of that length, it was almost impossible to place on the register a title which could be a matter of easy commercial transfer between man and man. Why was it necessary to go back 60 years to get a title? Because so much power was given to landowners to make charges on the land that lasted over a great number of years; and, of course, there must be a correlative power to look into those charges when they endeavoured to make a title. It was a national misfortune that there were so few owners of land in England. Although we had no proper statistics on the subject, yet he believed there was scarcely a continental country in which the ownership of land was confined to so small a number of persons as was the case here. Such extensive improvements had been made in the land laws of Prussia, Bavaria, Austria, and even Russia, in this century, that we lagged behind almost every other European country in respect to the extension of the advantages, and, he might say, the blessings of the ownership of land to the general community. In England a man might go into an auction-room and bid for a piece of land, and the moment he had done so he found himself pledged to something equivalent to a positive lawsuit, which might extend over six months or two years before he could realize actual proprietorship. It was a disgrace to a civilized State that there should not be a power of acquiring a portion of the land of the country on terms a little easier than was the case here at present. The attempt to register the muniments of title to land could only have the effect of burdening the register and making it more difficult to examine it. What was wanted was that the results should be registered; and that, he feared, could not be accomplished unless they made up their minds to have a greater number of fee-simple titles to land. There now existed so many estates for life, extending to the next generation, before the actual ownership of the land was decided by the fee-simple. It had been said that it ought to be as easy to buy land as to buy a horse; but how would it be possible to buy a horse if the ownership of the one half of it was in one century and that of the other half was in another century, as was the case with land? The real impediment to the transfer of land was the immense period over which the ownership extended. Our middle classes were accustomed to invest their money where they could at once obtain what they purchased — where there were no delays, no unknown costs, no wearisome forms that disgusted them with their bargain before it was completed; and as to our lower classes, they found the purchase of land to be utterly hopeless. In other countries the acquisition of land was an object attainable by the whole community. All the great political economists said that the accumulation of wealth might make a nation, or part of a nation, rich; but that it was the distribution of wealth which made a nation happy and defended it from an army of pauperism, crime, and other evils to which society was liable. Let them apply the doctrine of Adam Smith to this matter, and they would find that in regard to land they now almost bade defiance to the principles continually appealed to as those which conduced to the happiness and prosperity of a nation. That subject of the transfer of land was made too much of a lawyer's question. They ought, first, to make the article itself transferable, and then its transfer would not be so difficult. The common charge against the Code Napoleon was that it subdivided the land to excess, prescribing so much and leaving so little scope to testamentary power; but in this country we almost imitated the mistakes of that code in a still more dangerous degree, though in a different way, because we cut up the ownership of land into so many different, deferred, and complicated interests, breaking up the true interest into such a great variety of small estates. The hopes built upon Lord Westbury's Act had been disappointed owing to that state of things. Lord Cairns' admirable intentions in regard to that subject were frustrated by the dissolution of Parliament, and Lord Campbell, Lord Brougham, the present Lord Chancellor, and, indeed, almost all the Law Lords had, in turn, attempted to give facilities for simplifying that question; but he was sorry to say he believed that none of those efforts would be successful until they first consented to go into the whole subject of the law of real property. That work was begun in Prussia in 1807, and completed in the middle of this century, and it had nearly doubled the value of land in that country, increasing the national happiness in a manner seldom witnessed in any State. The recent successes of the patriot soldiers of Prussia might be accounted for in no small degree by the fact that a large part of the Prussian Army went from homes which they owned in fee-simple to fight in a foreign country, and had those homes to return to when the war was over. He was not one of those persons who thought that the landed proprietors of this country were to be reproached as the authors of the present state of things; on the contrary, he believed they were oftener the victims. Many men of their class had expressed a most liberal desire to see the transfer of land facilitated in

England, and the great subdivision of the interest in land put an end to by fee-simple ownership becoming more common. In Denmark, he thought, and also in Russia, there was a practice of retaining under the system of entails land which belonged to ancient families who were looked up to with honour by the State; and in those cases exceptional entails were made. He did not see why a similar means might not be used in this country for escaping from the great difficulty of any attempt to abolish or interfere with the right and practice of entail. He hoped, in conclusion, that the whole subject of Land Transfer would receive the attention of the House, inasmuch as it was a proper one for early legislation.

Motion made, and Question proposed,

> "That, in the opinion of this House, it is expedient to afford further facilities for the declaration of title through the Office of Land Registry."—(*Mr. George Gregory.*)

THE ATTORNEY GENERAL said, he had, on a former occasion, when this subject was discussed, stated that it was under the consideration of the Government, and he had now to add that a Bill had been prepared to deal with it; but it was doubtful whether the state of Public Business would permit its introduction during the present Session. He had, however, the authority of the Lord Chancellor for saying that if the Bill were not brought forward this Session it should be introduced early in the next one. When that measure was introduced it was inevitable that the question would have to be discussed at great length, and under those circumstances he should refrain from going into it in detail now. He quite agreed that the transfer of land should be made more easy and simple, and he had no doubt that that result could be arrived at; but he was by no means certain that land could be made as easy of transfer as capital, as there were such inherent differences in the subject-matter which could not be removed. The Act of 1862 had, no doubt, turned out a failure, mainly because it dealt with indefeasible titles, which were very difficult to obtain, while practical merchantable titles were not so difficult to obtain. The Commission had suggested that the existing registry might be utilized, and that by the establishment of an additional registry the transfer of land with an ordinary title might be facilitated. That was the object of the Bill which had been prepared, and was now in the hands of the Lord Chancellor. But he would go into the question at length when the Government Bill was introduced, and in the meantime he trusted that his hon. and learned Friend would not think it necessary to press his abstract Resolution.

MR. G. B. GREGORY said, that after the assurance just given by the hon. and learned Gentleman that the Government would deal with the question at as early a time as possible, he would withdraw his Motion.

Motion, by leave, *withdrawn.*

PRIVATE CHAPELS BILL—[BILL 37.]

(*Mr. Salt, Mr. Dimsdale, Mr. Morrison.*)

COMMITTEE.

Order for Committee read.

MR. SALT said, that not having had the opportunity of explaining the provisions of the Bill on moving the second reading, he proposed to do so now. Of late years several measures had been passed which interfered with the ecclesiastical law relating to the rights and powers of incumbents within their parishes—for instance, in the cases of prisons, public schools, and unions, the rights of the incumbent to the spiritual authority within his parish had been superseded. But these were not the only cases in which relief was desirable. As the law at present stood—except in the cases before noticed—the Bishop could not license any clergyman to perform ecclesiastical duties within any parish without the consent of the incumbent. This Bill, however, proposed to enable the Bishop of the diocese to license a minister to any private chapel, or any chapel belonging to any school, college, hospital, asylum, or other public institution; who being so licensed should be authorized to administer the sacraments, and perform all such offices and services of the Church as should be named in the license; but the solemnization of matrimony was excepted from the Bishop's power. By the second clause, any minister so licensed was exempted from control or interference on the part of the incumbent of the parish; but the entire cure of souls throughout the parish, save within the walls of the chapel, was reserved to the incumbent. Objections had been raised to the inclusion of private chapels within the provisions of the Bill, and in Committee he would move the omission of that part of the Bill, with a view to bring up other clauses on the Report. He had been anxious to ascertain whether the provisions of this measure would be acceptable to the clergy, and before introducing it he wrote to several clergymen of his acquaintance in order to ascertain their opinions as to whether it would make any undue invasion of their privileges, and to elicit their criticisms. Without an exception he received answers favourable to the Bill In fact the Bill only sought to give the sanction of law to the custom which had hitherto prevailed in the majority of cases, for chaplains were generally appointed to public institutions, and even in private families, without objection, while in those few cases in which the incumbent of the parish had raised any objection, and had used his powers of interference in an arbitrary manner, a change in the law was desirable in the interests of religion and education. He had been told that he was making an attack by this Bill on the parochial system; but this Bill contained the very essence and spirit of the parochial system. Anybody acquainted with the history of this country knew that private chapels had been the foundation of parish churches, and even in the last half-century there had been repeated instances of districts carved out of parishes on account of the growth of population. The whole course of modern legislation for the extension of the Church teaching was founded upon the same principle. That would be a very narrow view of the parochial system according to which the privileges of the particular person placed over the district were, under no circumstances or conditions whatever, to be interfered with; and if such a view were to prevail, in fact, the parochial system would stand self-condemned. He moved that the House went into Committee on this Bill.

MR. MONK said, that when he first read the Bill he could not clearly ascertain what object the proposers had in view. The Bill was somewhat vaguely drawn; but now, as the hon. Member had explained its provisions, it would appear that their object was to extend the parochial system by an invasion of the rights of the incumbent of the parish. There was at present power to set up chapels and chapelries in overgrown parishes under the existing Church Buildings Acts. It appeared to him the Bill was intended to empower the owners of private chapels to appoint ministers to them without the consent of the incumbent of the parish, which was a step towards disestablishing incumbents, if not also a step towards the disestablishment of the Church. That might not be the view taken of it by the promoters of the Bill; but it certainly was the view taken by some hon. Members below the Gangway on the Ministerial side of the House. With the omission of the words "any private chapel" from the Bill he was willing to accept it as a Bill to enable the Bishop to appoint a minister to exercise spiritual functions in the chapel attached to any college, public school, hospital, &c.; but if it was intended to enable the owners of private chapels to obtain the appointment of a minister in opposition to the wishes of the incumbent, he should oppose its further progress.

Bill *considered* in Committee.

On Motion of Mr. MONK, words relating to private Chapels in Clause 1 *struck out.*

Bill *reported;* as amended, to be *considered* on *Friday.*

TRADES UNIONS BILL—[BILL 28.]

(*Mr. Secretary Bruce, Mr. Solicitor General, Mr. Shaw Lefevre.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Bruce.*)

MR. STEPHEN CAVE said, that in making a few remarks on this Bill he wished, in the first place, to disclaim any hostility to the principle of trades unions, or even of strikes. Few who had paid attention to the subject could have failed to perceive that the proportion between wages and profits was very seldom thought of in settling the amount of wages. The political economist might say that a man was not bound to give above the market price for a day's work more than for a coat or a hat, that there was no reason why he should offer higher wages than the lowest that a workman would take, and that if these were not enough to keep body and soul together, so much the worse for the workman, who had nothing more valuable to sell. The case of clerks in many shops and smaller mercantile houses, and of the lace makers in the south of Devon, occurred to him as instances in which, from very different causes, there was no sort of proportion between the profits of the principals and the wages of the workpeople, though in both cases the work was good, and might be much more highly paid. In the former case the enormous supply, compared with the demand, was the cause of low pay; and in the latter the wretched condition of the people and the bondage to which they were reduced by what was practically the truck system. In neither of these cases could there be resistance without combination. The employers could go elsewhere or wait. The labour of the employed—his only saleable property—would not keep. It was like meat or fish, which in hot weather must be rapidly disposed of. Assistance from without alone could place the contracting parties on equal conditions, for he was only speaking of cases in which the employers could well afford to pay more. Trades unions, enabling workpeople to make better terms with their employers, had put an end to starving wages in many trades. No one could expect people to go on receiving such wages with satisfaction. No one could find fault with strikes aimed against injustice and wrong. What were co-operative stores but combination against overcharge and adulteration? But there was another side to the question. It was when the so-called leaders of the workpeople, men who had attained their position perhaps by that all-powerful weapon among the masses, "the gift of the gab," men who delighted in warfare, from which they derived, if not pecuniary benefits, a position of power and consequence. When they sought to abolish the difference between good and bad workmen, and to induce people who were perfectly satisfied with their position and their wages to join in strikes, he was sure that the clear intellect of Mr. Justice Hannen, whom the right hon. Gentleman had quoted on bringing in his Bill, would not fail to see that such proceedings were not only injurious to the particular employer, but to the public. He had seen a somewhat fine distinction drawn in a recent publication—namely, this, that if the strike was in a trade in which we had foreign competitors it was injurious to the public, because it might drive the trade entirely out of the country; but if it was in a home trade, such as the various building trades, then it was a mere question between master and man. But what did an hon. Member complain of last year? That the doors and window frames of the new St. Thomas's Hospital came ready made from abroad, where, in consequence of disputes and strikes in that portion of the building trade, they could be obtained cheaper and better than at home. So much was this question one of degree that it was very difficult to say when the action of a trade union ceased to be beneficial, and became contrary to public policy. But the fault he found with the Bill was that while it did not seem to diminish the chances of disagreement between workmen and employers, it appeared to recognize acts which no one could doubt were contrary to public policy. As far as he understood the Bill, there would be no objection whatever to grant a certificate of registry, with all its advantages, to such unions as those of the Manchester bricklayers and masons, among whose rules he found the following:—

> "That no master bricklayer shall have more than three apprentices; that all workmen should be paid the same wages, without reference to their ability or industry."

Let them imagine such regulations emanating from the Inns of Court or Colleges of Surgeons or Physicians? Yet they represented callings which were equally overstocked. Another rule stated that no bricks should be carried in wheelbarrows, which reminded him of the negroes on an estate in Jamaica, who, when wheelbarrows were introduced from England, resented the innovation so much that they carried them on their heads as they had done their old baskets. Bricklayers' labourers were not by another rule to go up one ladder and down another—an edict only to be compared with that in the *Arabian Nights*, which condemned to death the pastry cook who had made cream tarts without pepper. Again it was ordered—

> "That every bricklayer should have an attendant whether he wanted him or not, and that no stones should be shaped in the quarry,"

but that a quantity of the useless superfluous mass must be brought at increased expense to the workshop. Let the House imagine such a rule enforced with reference, for instance, to the building of the Wolf Rock Lighthouse off the coast of Cornwall. He should be sorry to think that any encouragement, however indirect, was given by the Bill to rules so arbitrary, capricious, and mischievous, and though no agreement to obey such rules could be legally enforced, yet he feared that there would be many other ways of enforcing them within the letter of the law, which would continue to work mischief till the slow progress of true education convinced the upholders of such rules that they were running in the very teeth of their own best interests.

Mr. T. HUGHES said, in answer to the objection of his right hon. Friend (Mr. S. Cave), as to the nature of some of the rules of the unions, that the object of this Bill was to give the privilege of combination, including the right to strikes, to workpeople, and whether the rules of the unions were objectionable or not did not really matter. There was to be a free right of combination so long as the rules were made public. Of course, if there was anything absolutely illegal in the rules, it would be detected by the registrar, who would refuse to register them. The Bill seemed to him to be an extremely good one in almost every respect. It abolished all the laws which had produced bad results in bygone times, and it gave to societies that right of combination, which it would be admitted they deserved, by the manner in which they had behaved for many years past. It was true that some combinations had done acts, and had made rules, that had caused very serious evils in various parts of the country; but such unions were very few, and in general trades unions had been very beneficial. The great argument from the workmens' point of view for such combinations was, that wherever they had been broken down through strikes not being successful, the result had been that the condition of the workpeople had fallen very low. This was the case 30 years ago in the East End of London with the tailors' union; and ever since this branch of labour had been in a deplorable condition, the wages not being sufficient to support the men in decency. Anyone who perused the evidence given before the Commission must come to the conclusion that trades unions had become so powerful and so well organized that it would be useless to contend any longer against their having a right to that legal position which the Bill proposed to give them. He said on a previous occasion that the only feature of the Bill which was objectionable was that it threatened to perpetuate the evil which had arisen from the construction which had been placed by the Courts upon the words "molestation" and "obstruction" in the Act of Geo. IV. The words had been so construed as to make criminal acts which were not cognizable by the ordinary criminal law; for instance, such acts as calling out in the street to men passing; or such an act as a man, employed to represent the union, telling the master that "there would be a row" if a certain course of action were followed. Since the passing of that Act, there had been a great number of cases in which workpeople had been imprisoned in consequence of the interpretation put upon those words "molestation" and "obstruction;" but in no instance had the Act been brought to bear upon combinations of employers, and the consequence was that the feeling against those clauses of the Act had been for many years exceedingly strong among working men. When he found that this Bill would perpetuate the clauses relating to molestation and obstruction he thought it to be an error, and that the better policy would have been to remove these words, which were extremely difficult of definition, and to pass the Bill without defining what these phrases were to mean. If, however, those words were to be retained, he was bound to admit that the 3rd clause was as successful an attempt to define them as was likely to be made; for it confined their meaning practically to two offences, those of picketing and rattening. These were the two offences dealt with by the clause. His objection to it was, that it made acts penal in one case which you could not suppress in the other. When a strike occurred, the first object of the employer was to prevent his workmen from getting other employment, while the object of the workmen was to prevent him from filling their places. The only way by which the men could effect this object was, to watch and warn other workpeople from furnishing the labour which the employers required. This was the offence of picketing; but if picketing were employed by the men, on the other hand what did the employers do? They sent a list of their workmen to other employers in the neighbourhood with notice that their works were closed, and requesting that their workmen might not be employed in other works in the neighbourhood. Now, this black list was the exact counterpart of picketing as practised by the men. He would give one instance of the use of these black lists, as they were called. Some three years ago there was a strike by the joiners at Manchester, and a circular was produced in evidence before the Trade Union Commissioners, signed by the secretary of the Masters' Union, convening a meeting of employers, "to take what steps may be thought necessary to prevent the men on strike from getting employment in other towns." His hon. and learned Friend (Mr. Jessel) was of opinion that words might be inserted in this Bill enforcing penalties against the masters for the issue of a black list, just as against the workmen for picketing. He feared, however, that this was impossible; and, therefore, the Bill was a one-sided enactment, making penal on the side of the men the very act which could not be made penal on the side of the employers. It was far better that this clause should be removed from the Bill. Another reason that he had for objecting to this clause was that it was bringing them back to the old difficulties as to the law of conspiracy. It was proposed to give to two magistrates a jurisdiction in these matters, which had never before been confided to such a tribunal. In the districts where strikes were most common, and where there were great works in the neighbourhood of which trades unions were powerful, the local magistracy was filled with persons of the same class as the employers—persons deeply interested in these questions—and it would be a very unfortunate piece of legislation to give jurisdiction to such persons under such circumstances. He thought if such jurisdiction were conferred upon magistrates, it should be given to stipendiary magistrates. There was this further objection—that they were seeking to introduce into a special Act, applying specially to trades unions, general provisions which, if they had any bearing at all, should apply to every person in the community. This Bill was applicable, not only to members of trades unions, but to all persons who did certain acts. If these offences were to be made penal for every person who committed them, he thought the Government Bill was not the place to introduce such a clause as this. It would be far better if his right hon. Friend the Secretary of State for the Home Department were to put these offences into a separate Act, where they would be dealt with as offences entirely apart from trades unionism, and which should declare that whoever committed them, whether he was a member of a trades union or not, would be subject to certain penalties. All the best men connected with trades unions felt that such offences as rattening, dogging, and hustling men in the streets, should be made penal. With respect to the other clauses, he looked upon them as satisfactory, and he thought that the Bill did all that was necessary. In the 15th clause, subsection 6, it was enacted that—

> "The Board of Trade may from time to time make regulations respecting registry under this Act, and respecting the seal (if any) to be used for the purpose of such registry, and the forms to be used for such registry, and the inspection of documents kept by the registrar under this Act, and respecting the fees, if any, to be paid on registry not exceeding the fees specified in the second schedule to this Act, and generally for carrying this Act into effect."

That was a very wide clause, and it should be distinctly understood that such words would be inserted as would be necessary to make it quite clear that the jurisdiction of the Board of Trade was simply with respect to the regulations of the registry, and not with respect to the rules which were to be submitted to it for registration. In the 19th clause there was another question as to registration, which was of some little importance —namely, under what class of societies trades unions were to be registered—whether under the Friendly Societies' Act or the Joint-stock Companies Act. It appeared to him that the proper thing would be to register the unions under the Friendly Societies' Act, as the Joint-stock Acts were framed for the purposes of commercial associations, and were worked by a machinery which was inapplicable to such unions. He thought this

Bill would do away with almost all the difficulties, and heartburnings, and jealousies which had been so prevalent among members of trades unions in consequence of the legislation of past years, and which was regarded by them as extremely one-sided and penal. The existence of these unions as legal associations would greatly help the system of arbitration which had done so much to settle disputes between the employer and the employed, and reserving his opinion on the 3rd clause, he should give his hearty support to the Bill, which, he believed, would work extremely well.

SIR CHARLES ADDERLEY said, hon. Members were perfectly agreed as to the general principle of the Bill and ready to support it on the second reading, although there were many who would wish to make alterations in its clauses; but when the hon. and learned Member for Frome (Mr. T. Hughes) said they should recognize all kinds of combinations not for illegal purposes, he forgot that their recognition legalized. The law could legalize combinations for all purposes. The real principle at which they had arrived was that, for the purpose of mutual aid, combinations of all sorts should be promoted by the law on condition that there was nothing in the proceedings to militate against the public interest, and nothing of either violence or fraud. This was a principle which they had largely adopted in promoting friendly societies, which had formerly been treated as conspiracies, and the category of friendly societies had been gradually enlarged, while the principle of mutual aid on which they were based had been admitted to be of general application. The old objection to friendly societies was found to be a false one, and the law had restricted the public from entering into many very useful combinations. The principle of these societies had now been recognized, not only for benefit purposes, but also for trade co-operation. Employers of labour were in themselves a great combination, and there ought to be a countervailing power permitted to the employed to guard their own interests. It was to be hoped that this measure would lead, not only to co-operation on each side, but to a great deal of co-operation between these two parties and to the constitution of joint boards of conciliation. The best way to proceed was for the two to act together; but, at all events, the law should not be such as to render the one side powerful and the other weak. His own objection to the Bill generally was that it seemed to needlessly complicate the subject. If we had recognized the general principle of combinations for mutual aid, why not act upon it, in the case of trades unions, so as to bring them, as far as possible, under the principle? It seemed to him to be a great fault to make a new law for every case, as they had made a separate Factory Act for every trade. Uniformity in the application of principle was one of the law's chief merits; and want of uniformity was, in itself, an evil. What was there to prevent trades unions, so far as their operation was for benefit purposes capable of calculation, from being brought under the Friendly Societies' Acts; all benefit societies might be brought under one principle, and the law should give them its protection, and allow them to sue and be sued, provided they would submit to the conditions that would prevent their militating against the general good. Trades unions had two purposes—they were trade societies, and they were benefit societies. In the latter respect there could be no reason why they should not come under the Friendly Societies' Acts. The trade department was not equally capable of calculation. But what reason had been assigned why these trade societies should not also be brought under the general principle of legalized combinations which had been so widely extended of late years for various purposes? He believed he might state, on the high authority of the late Sir George Cornewall Lewis, that all such societies should be brought under the law. The two objections made against this Bill had been on account of the 3rd clause, the penal clause, and on account of the terms of registration. There were special crimes which had sprung out of trades unions; but it is said these could have been brought under the general criminal law. He did not himself see any stigma attached to trades unions by dealing with their abuses in the Act which legalized them, any more than similarly dealing with public-house abuses in Licensing Acts stigmatized that trade. But if such an objection were seriously felt it might be easily met. If the special acts were added to the category of crimes in a separate Bill, the whole difficulty would be got rid of at once. The present Bill had grown up during years of struggle, and inquiry, and mutual concessions, for it was desirable to secure the result with goodwill. If what he had suggested should be carried out, he trusted that care would be taken that the Act touching the crimes would be passed before the Royal Assent was given to the Trades Unions Bill, as however partial the abuses of trades unions might be, still it would not be safe to legalize their use without security against such possible abuse.

Mr. JESSEL said, he could not admit that the Bill was directed to any such general alteration of the law as the right hon. Gentleman (Sir Charles Adderley) supposed. The object of the Bill was one which he believed the whole House approved—namely, to eliminate one single element of illegality from the constitution of trades unions, this element being that they were unlawful, simply because they were in restraint of trade, and the moment they eliminated this they made them lawful, with the special exception provided by the Act. He entirely agreed with the remarks made by his hon. and learned Friend the Member for Frome (Mr. T. Hughes) as to special class legislation; but he wished to point out to the House that this legislation was not fairly obnoxious to the charge of being class legislation. Class legislation was the conferring of special privileges on a single class of the community, or enacting special prohibitions against a single class as distinguished from all others. But it was not class legislation to prohibit offences by any member of the community merely because such offences were committed usually by one class only. There was in our criminal legislation an enactment which prohibited the possession of housebreaking implements by any member of the community. This might be said to be class legislation as regarded burglars, because no other members of the community carried about with them housebreaking implements. But this was not class legislation; and if we prohibited the offences which had been described as "rattening" and "picketing," it was no answer to say that here was class legislation, because they were not offences likely to be committed except by handicraftsmen. The complaints of the working classes, on the ground of the prohibitory enactments included in the Bill, were not well founded. He thought the working classes had great cause to be grateful to the Government for defining the offences for which they were to be punished. On this question Common Law Judges had differed in opinion, and it might be concluded that they always would differ when it was considered that they had to look back to ancient decisions and from them to educe principles applicable to the present state of things. Though we might be agreed as to a principle, it was difficult to agree as to its application to a totally different state of circumstances from that which formerly existed. If we simply abolished the combination laws, and left the matter to be dealt with by the common law, we should transfer that accurate definition of crime, which ought to be the province of legislation, to the Judges, and we should leave whole classes in utter uncertainty as to what their duties and obligations were. Whether the definitions given in the Bill were accurate, or whether they admitted of improvement was, of course, a question for Committee; but the working classes would wish to see the offences, whatever they might be, accurately and carefully defined. He wished to call attention to the 5th clause, which introduced a new principle as regarded contracts; for this was the first attempt, so far as he knew, to make a legal contract not enforceable by law. It was an illogical proposition, a contradiction in terms, to call that a contract which could not be enforced; there was nothing of the kind in our law at present, and it would be extremely objectionable to enact such a thing. It had lately been often enacted that certain persons, such as women and children under the Factory Acts, should not be at liberty to contract, and this had been extended to the case of some tenant-farmers in Ireland; but always on the ground that they were not competent to contract, and that it was for their own benefit that the power should be withdrawn; but this was the first time it had been proposed that men, fully competent to enter into a contract which was unobjectionable, should not be allowed to enforce it. It was an intelligible proposition that certain contracts were opposed to public policy and that they should be invalid, but the proposition of the Bill was not this. It had been said they were to assimilate trades unions to clubs, so that members were to be entitled to pay their subscriptions or leave them alone as they liked; but members of clubs could be compelled to pay their subscriptions unless they gave notice of their intention to withdraw. We were every day telling the labouring classes that they were capable of managing their own affairs, and were we to refuse them the recognition of contracts which were not obnoxious to the general law of the country? He would suggest for the consideration of the Government that it would be better to declare that certain contracts which were mischievous in themselves, and which were contrary to the general policy of the law, should be invalid. That was a well-known principle, and such invalidity need not draw with it consequences which had been found inconvenient. The 13th clause said that an auditor appointed by the managers of a trade union should decide what sums were properly expended and what were not; and as the clause stood, if the managing body thought that any application of funds towards a strike was not desirable, the auditor appointed by them could disallow the payment, although it might have been made in accordance with the rules, and the unfortunate treasurer would have to pay the money out of his own pocket—this should be altered. As to contract, it would be simpler and wiser to declare that such and such a contract should be invalid; but such invalidity should not prevent the calling the treasurer to account, or any other special object which it was desirable to accomplish, and that could be done without infringing the general policy of the law. Without entering further into the discussion of details, he should only record his opinion that the working classes would be glad to find that it would no longer be several statutes, but one short code, that would tell them what they could not do, and what they could do, in accordance with law.

Mr. HERMON said, that when the Bill was introduced he had promised it his support, and he saw no reason now for withdrawing it. He could not agree that trades unions were unmitigated blessings, either to the working classes or to the country at large. He believed that combinations, both of masters and men, were equally objectionable. Representing a constituency whose chief employment was daily labour, he had consulted both the employers and the employed on it, and from neither of them had he received any objection to the Bill. Therefore, he felt bound to consider that they supported it, and he should do the same. He was glad that the Bill contained legal protection to the funds of the trades unions. He regretted that this Bill did not attempt to constitute some legal Court to which disputes between employers and workmen might be referred, although, at the same time, he saw that there might be great difficulty in making the decisions of such a Court binding upon the parties interested. If a little mutual forbearance were exercised at the commencement of strikes, matters might easily be managed. He was sorry to have heard what fell from the hon. and learned Member for Frome (Mr. T. Hughes) with reference to the black list; all he could say was that he was in happy ignorance of that part of the subject.

Mr. ANDERSON said, he had no reason to be dissatisfied with the Bill, which he regarded as being a good measure. He did not like the 3rd clause, however, which covered matters which might, he thought, be met by common law; and, coupled with Clause 21, it was very objectionable. By the latter, magistrates who were employers might sit on the bench, judging disputes between men and employers, and having to interpret the very peculiar clauses about molestation and obstruction; and the disqualification of masters in the same trade as that with which the case was connected sitting in judgment was not enough. For his own part, he would prefer stipendiary magistrates; and, where there were no such judges, he should be inclined to adopt the Amendment of the hon. Member for Carlisle (Mr. Potter).

The SOLICITOR GENERAL said, he thought it might be desirable that he should briefly explain the scope and object of the Bill. It was not a measure which dealt with trades unions only, inasmuch as it proposed to deal with the whole law of combination, whether entered into by trades unions, or any other body of individuals. In pursuit of combination, persons might be guilty of certain acts, in themselves objectionable, which the common law, or any existing statute, did not touch, and which could be dealt with now only by expensive and uncertain means. The 3rd clause would provide for that which had hitherto been left to vagueness and uncertainty, and the definition of which had been enforced in different ways by different Judges, sometimes extremely harshly and unfairly. The Government had endeavoured to limit carefully what acts only should be criminal; what acts should be deemed to constitute "molestation" and "obstruction;" and for none others in pursuit of combination should persons be punishable. It might or might not be successful legislation; but it was, at all events, clear and intelligible. The hon. and learned Member for Dover (Mr. Jessel) objected that, while combination was rendered lawful, there was no legal sanction given for enforcement of their engagements. He (the Solicitor General) concurred in the dictum of Mr. Justice Crompton to the effect that, if such agreements were enforceable at law, they should be also enforceable in equity. And what would be the consequence? The Court of Chancery would be called upon to enforce strikes; actions maintainable for breaches of contract not to work; and all manner of litigation which lawyers would look upon as profitable, but which the country at large would not long stand. Then it must be remembered that in this Bill they were dealing with a subject which stood by itself; and, though its provisions were not to be judged by lawyers, or by logic, it would abide the test of common sense. Under these circumstances, he trusted the House would consent to the second reading of the Bill.

Mr. MUNDELLA said, he believed the Bill to be an honest attempt to settle a long-disputed question; and considered it, on the whole, to be a satisfactory measure. The chief objection to it was the 3rd clause; and, with respect to it, there were many offences there made penal which he would have been glad to see punished under the criminal law of the country. He hoped that the clause would be omitted from the Bill.

Mr. H. A. HERBERT said, he thought the 3rd clause ought to be omitted; it was so difficult to define what "molestation" was.

Mr. BRUCE said, that while they secured to the fullest extent the civil rights of the trades unions, it was necessary also to protect the workmen themselves against intimidation and molestation. There were certain offences described by these terms which were not met by the criminal law; and it seemed to him that the Government, in dealing with them in the manner proposed, had taken a course which would greatly facilitate the progress of the Bill through both Houses of Parliament.

Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* 23rd March.

MEDICAL ACT (1858) AMENDMENT BILL.

On Motion of Dr. Lush, Bill to amend the Medical Act, 1858, *ordered* to be brought in by Dr. Lush, Mr. Mundella, and Dr. Brewer.

Bill *presented*, and read the first time. [Bill 72.]

MEDICAL ACT (1858) AMENDMENT (NO. 2) BILL.

On Motion of Mr. Brady, Bill to amend the Medical Act of 1858, *ordered* to be brought in by Mr. Brady, Mr. Haviland-Burke, and Mr. Murphy.

House adjourned at half after Twelve o'clock.

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APPENDIX.

Full Power to the Earl de Grey and Ripon, Sir Stafford Henry Northcote, Sir Edward Thornton, Sir John Alexander Macdonald, and Montague Bernard, Esq., to negotiate with Plenipotentiaries of the United States.

VICTORIA R.

VICTORIA, by the grace of God, Queen of the United Kingdom of Great Britain and Ireland, Defender of the Faith, &c., &c., &c., To all and singular to whom these Presents shall come, Greeting. Whereas, for the purpose of discussing in a friendly spirit with Commissioners to be appointed on the part of Our Good Friends the United States of America, the various questions on which differences have arisen between Us and Our said Good Friends, and of treating for an Agreement as to the mode of their amicable settlement, We have judged it expedient to invest fit persons with full power to conduct on Our part the discussions in this behalf: Know ye, therefore, that We, reposing especial trust and confidence in the wisdom, loyalty, diligence, and circumspection of Our right trusty and right well-beloved Cousin and Councillor George Frederick Samuel, Earl de Grey and Ripon, Viscount Goderich, a Peer of Our United Kingdom, President of Our Most Honourable Privy Council, Knight of Our Most Noble Order of the Garter, &c., &c., of Our right trusty and well-beloved Councillor Sir Stafford Henry Northcote, Baronet, a Member of Parliament, Companion of Our Most Honourable Order of the Bath, &c., &c.; of Our trusty and well-beloved Sir Edward Thornton. Knight Commander of Our Most Honourable Order of the Bath, Our Envoy Extraordinary and Minister Plenipotentiary to Our Good Friends the United States of America, &c., &c.; of Our trusty and well-beloved Sir John Alexander Macdonald, Knight Commander of Our Most Honourable Order of the Bath, a Member of Our Privy Council for Canada, and Minister of Justice and Attorney-General in Our Dominion of Canada, &c., &c.; and of Our trusty and well-beloved Montague Bernard, Esquire, Chichele Professor of International Law in the University of Oxford;—have named, made, constituted, and appointed, as We do by these presents name, make, constitute, and appoint them Our undoubted High Commissioners, Procurators, and Plenipotentiaries: Giving to them, or to any three or more of them, all manner of power and authority to treat, adjust, and conclude with such Minister or Ministers as may be vested with similar power and authority on the part of Our Good Friends the United States of America, any Treaties, Conventions, or Agreements that may tend to the attainment of the above-mentioned end, and to sign for Us and in Our name everything so agreed upon and concluded, and to do and transact all such other matters as may appertain to the finishing of the aforesaid work in as ample manner and form, and with equal force and efficacy, as We Ourselves could do if personally present: Engaging and promising upon Our Royal Word, that whatever things shall be so transacted and concluded by Our said High Commissioners, Procurators, and Plenipotentiaries shall be agreed to, acknowledged, and accepted by Us in the fullest manner, and that We will never suffer, either in the whole or in part, any person whatsoever to infringe the same, or act contrary thereto, as far as it lies in Our power.

In witness whereof We have caused the Great Seal of Our United Kingdom of Great Britain and Ireland to be affixed to these Presents, which We have signed with Our Royal Hand.

Given at Our Court at Windsor Castle, the sixteenth day of February, in the year of Our Lord one thousand eight hundred and seventy-one, and in the thirty-fourth year of Our reign.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CCIV.

FIRST VOLUME OF SESSION 1871.

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When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

When in the Index a † is prefixed to a Name or an Office (the Member having accepted or vacated office during the Session) and to Subjects of Debate thereunder, it indicates that the Speeches on those Subjects were delivered in the speaker's private or official character, as the case may be.

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  Moved, "That a Select Committee be appointed to inquire into the present state of the Board of Admiralty with reference to the recent changes in the constitution of the Board and the practical working of the Department" (*The Duke of Somerset*) *Feb* 16, 295; after debate, Motion agreed to; List of the Committee, 315
  Administration of Naval Affairs, Observations, Lord Henry Lennox; Reply, Mr. Gladstone; debate thereon *Feb* 17, 455
  New First Lord, Question, Sir James Elphinstone; Answer, Mr. Gladstone *Mar* 7, 1505
  Sir Spencer Robinson, Questions, Mr. Kinnaird, Sir James Elphinstone, Lord Henry Lennox; Answers, Mr. Gladstone *Feb* 13, 162 (*Parl. Papers* No. 37)

Adulteration of Food, &c. Bill
  (*Mr. Muntz, Mr. Whitwell, Mr. Dixon*)
  c. Ordered; read 1° * *Feb* 16 [Bill 41]

Advocate, The Lord (Right Hon. G. Young, *Wigton, &c.*
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Africa
Governor of Western Coast—Sierra Leone, Question, Colonel Beresford; Answer, Mr. Knatchbull-Hugessen *Mar* 9, 1675
South Africa, Amendt. on Committee of Supply *Mar* 3, To leave out from "That" and add "in the opinion of this House, it is desirable that Her Majesty's Government should take steps to ascertain to what extent the Confederation of the British Possessions in South Africa and of the adjacent territories is practicable" (*Mr. Robert Fowler*), 1275; Question proposed, "That the words, &c.;" after debate, Amendt. withdrawn

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Anson, Major Hon. A. H. A., *Bewdley*
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Army Reserve Fund—Guards' Reserve Fund, Question, Mr. Stapleton; Answer, Mr. Cardwell *Mar* 6, 1385

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Rifled Guns—Continuation of Returns, Question, Sir John Hay; Answer, Sir Henry Storks *Feb* 23, 758

Breech-Loaders to Regiments, Question, Colonel North; Answer, Sir Henry Storks *Mar* 9, 1678
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Commissions, Stamp Duties on, Question, Sir John Hay; Answer, Mr. Cardwell *Mar* 3, 1273
Fleetwood Barracks, Question, Mr. Eastwick; Answer, Mr. Cardwell *Mar* 6, 1388

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Married Subalterns—Female Servants, Question, Lord Garlies; Answer, Mr. Cardwell *Mar* 6, 1385
Military Academies—Sons of Militia Officers, Question, Lord Claud Hamilton; Answer, Mr. Cardwell *Mar* 2, 1165
Military Attaché at Paris, Reports of the, Question, Sir Robert Peel; Answer, Viscount Enfield *Mar* 7, 1504
Military Attachés, Pay and Allowances of, Questions, Mr. Montague Guest, Sir Robert Peel; Answers, Viscount Enfield *Mar* 10, 1771
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Camps of Instruction, Question, Mr. Hambro; Answer, Mr. Cardwell *Mar* 3, 1274

Volunteer Uniforms and Equipments, Question, Mr. Harvey Lewis; Answer, Mr. Cardwell *Feb* 20, 491; Question, Captain Dawson-Damer; Answer, Mr. Cardwell *Feb* 23, 750

Volunteers in Militia Regiments, Question, Mr. Simonds; Answer, Mr. Cardwell *Mar* 2, 1166

Wages of Soldiers, Question, Mr. Dickinson; Answer, Mr. Cardwell *Feb* 21, 583

Yeomanry Cavalry, Question, Mr. Milles; Answer, Mr. Cardwell *Feb* 27, 935

Yeomanry Regiments, Rifle Ranges, Question, Mr. Algernon Egerton; Answer, Mr. Cardwell *Mar* 7, 1503

Army Administration — Commander-in-Chief

Moved, "That, in the opinion of this House, no scheme for Military reorganization can be regarded as complete which does not alter the tenure of the Command in Chief in such a manner as to enable the Secretary of State for War to avail himself freely of the best administrative talent and the most recent military experience from time to time existing in the British Army" (*Mr. Trevelyan*) *Feb* 21, 590; after long debate, Question put; A. 83, N. 201; M. 118

Army — Militia Appointments — Royal Cornwall Rangers Militia

Moved, "That an humble Address be presented to Her Majesty for all correspondence relating to the nomination of an officer for command of the Royal Cornwall Rangers Militia" (*The Lord Vivian*) *Mar* 7, 1483; after short debate, Motion agreed to

Army Regulation Bill — Miscellaneous Questions

Question, Sir John Pakington; Answer, Mr. Cardwell *Feb* 20, 496; Question, Lord Eustace Cecil; Answer, Mr. Cardwell *Feb* 23, 762; Questions, Mr. Raikes, Major Anson, Major Dickson; Answers, Mr. Cardwell *Feb* 24, 832

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Questions, Mr. Guest, Mr. Bristowe; Answers, Mr. Cardwell *Feb* 20, 497

Promotion by Selection, Question, Lord Eustace Cecil; Answer, Mr. Cardwell *Feb* 20, 493

Promotion of Colonels, Question, Sir Henry Hoare; Answer, Mr. Cardwell *Feb* 24, 830

Provision of Funds, Question, Lord Garlies; Answer, Mr. Cardwell *Mar* 13, 1875

Widows of Officers, Question, Colonel C. H. Lindsay; Answer, Mr. Cardwell *Feb* 24, 830

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Appointments to First Commissions, Question, Lord Eustace Cecil; Answer, Mr. Cardwell *Mar* 3, 1274

Commissions to Passed Candidates, Question, Lord Eustace Cecil; Answer, Mr. Cardwell *Feb* 20, 493; Question, Mr. Stephen Cave; Answer, Mr. Cardwell *Feb* 23, 747; Questions, Colonel Corbett, Lord Garlies; Answers, Mr. Cardwell *Mar* 13, 1871

Double Commissions, Question, Mr. Dent; Answer, Mr. Cardwell *Mar* 6, 1394

India—Reduction of Field Artillery, Question' Colonel Barttelot; Answer, Mr. Grant Duff *Feb* 28, 1028

Pay and Promotion, Question, Mr. Rylands; Answer, Captain Vivian *Mar* 10, 1771

Repayment of Regulation Price, Question, Colonel C. H. Lindsay; Answer, Mr. Cardwell *Mar* 9, 1676

Retirement, System of, Question, Colonel Barttelot; Answer, Mr. Cardwell *Mar* 2, 1164

Retiring Allowances, Question, Viscount Bury; Answer, Mr. Cardwell *Mar* 3, 1272

West Indian, Cape Mounted, and Canadian Rifle Regiments, Question, Mr. Kennaway; Answer, Mr. Cardwell *Feb* 28, 1028; Question, Mr. Dease; Answer, Sir Henry Storks *Mar* 14, 1981

Army Regulation Bill

(*Mr. Secretary Cardwell, Sir Henry Knight Storks, Captain Vivian, The Judge Advocate*)

c. Ordered; read 1° * *Feb* 16 [Bill 39]

Moved, "That the Bill be now read 2°" *Mar* 6, 1397

Amendt. to leave out from "That" and add "in the opinion of this House, the expenditure necessary for the national defences and the other demands on the Exchequer do not at present justify any Vote of Public Money for the extinction of Purchase in the Army" (*Colonel Loyd Lindsay*); Question proposed, "That the words, &c.;" after long debate, Moved, "That the Debate be now adjourned" (*Lord Elcho*); Debate adjourned

Debate resumed *Mar* 9, 1679; after long debate, Moved, "That the Debate be now adjourned" (*Sir John Pakington*); Debate further adjourned

Debate resumed *Mar* 13, 1877; after long debate, Debate further adjourned

ATTORNEY GENERAL, The (Sir R. P. Collier), *Plymouth*

Court of Hustings (London) Abolition, 1501

Ecclesiastical Titles Act Repeal, Leave, 273; 2R. 780, 797; Motion for a Select Committee, 1264, 1359

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Ball, Right Hon. J. T., *Dublin University*
- Ecclesiastical Titles Act Repeal, Motion for a Select Committee, 1358
- India—Civil Engineers, Res. 1354
- Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1243

Ballot — Parliamentary and Municipal Elections Bill
- Question, Mr. Pim; Answer, Mr. W. E. Forster *Mar* 19, 1669

Bank Holidays Bill
(*Sir John Lubbock, Sir David Salomons, Mr. Barnett, Mr. Rathbone*)
c. Ordered; read 1º * *Feb* 21 [Bill 50]

Bankruptcy Act—Legislation in respect of Peers adjudged Bankrupt
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Barttelot, Colonel W. B., *Sussex, W.*
- Army—System of Retirement, 1164
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- India—Field Artillery, 1028

Bass, Mr. M. T., *Derby Bo.*
- France and Germany—Terms of Peace, Res. 445

Baxter, Mr. W. E. († Secretary to the Admiralty, *afterwards* Secretary to the Treasury), *Montrose, &c.*
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(*The Lord Bishop of Winchester*)
- *l.* Presented, after short debate; Bill read 1ª *Feb* 13, 160 (No. 7)
- Moved, "That the Bill be now read 2ª" *Feb* 20, 477
- Amendt. to leave out ("now") and insert ("this day six months") (*The Lord Romilly*); after short debate, on Question, That ("now") &c.; resolved in the affirmative; Bill read 2ª
- Moved, "That the Committee be postponed till Thursday" (*The Lord Romilly*) *Mar* 14, 1971
- Moved, "That the House do now resolve itself into a Committee"
- Amendt. to leave out ("now") and insert ("on Thursday next"); on Question, That ("now,") &c.; Cont. 60, Not-Cont. 23; M. 37 (No. 43)

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  Ireland—Qualification for High Sheriff, Motion for Papers, 659

BRISE, Colonel S. B. RUGGLES-, *Essex, E.*
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c. Acts considered in Committee; Bill ordered; read 1°* *Mar* 7 [Bill 66]

Burials Bill (*Mr. Osborne Morgan, Mr. Hadfield, Mr. M'Arthur*)
c. Acts considered in Committee; Bill ordered; read 1°* *Feb* 10 [Bill 7]
  Moved, "That the Bill be now read 2°" *Mar* 1, 1116
  Amendt. to leave out "now" and add "upon this day six months" (*Colonel Barttelot*); after long debate, Question put, "That 'now,' &c.;" A. 211, N. 149; M. 62; Bill read 2°
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  Criminal Law—Acquittal of Martha Torpey, 1756
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  Defences of Canada, Question, Sir Charles Adderley; Answer, Mr. Knatchbull-Hugessen *Mar* 9, 1673; *Mar* 10, 1773

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  Question, Mr. Eastwick; Answer, Viscount Enfield *Feb* 20, 489

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    Appointments to First Commissions, 1274
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Chaplin, Mr. H., *Lincolnshire, Mid.*
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1196

Charities, &c. Exemption Bill
(*Mr. Muntz, Viscount Sandon, Mr. Wheelhouse*)
c. Motion for Leave (*Mr. Muntz*) *Feb* 14, 274; Bill ordered; read 1°* [Bill 23]

Charley, Mr. W. T., *Salford*
Ecclesiastical Titles Act Repeal, 2R. Amendt. 783; Motion for a Select Committee, 1359
Infant Life, Protection of, 318

Chichester, Bishop of
Prayer Book (Tables of Lessons), 2R. 1866

China
China and Japan Consular Reports, 1869, Question, Mr. White; Answer, Viscount Enfield *Feb* 23, 752
Destruction of Consular Buildings at Shanghai, Question, Colonel Sykes; Answer, Viscount Enfield *Mar* 2, 1168

CHURCH OF ENGLAND
Ritual Commission, Question, Mr. W. H. Smith; Answer, Mr. Gladstone *Feb* 16, 317
Table of Lessons—The Ritual Commission, Question, Earl Stanhope; Answer, The Lord Chancellor; short debate thereon *Mar* 3, 1265

Church Rates Abolition (Scotland) Bill
(*Mr. M'Laren, Mr. Graham, Mr. Craufurd, Mr. Carnegie*)
c. Ordered; read 1°* *Feb* 22 [Bill 52]

Citation Amendment (Scotland) Bill
(*Mr. Anderson, Mr. Gordon, Mr. Miller, Mr. Armitstead*)
c. Ordered; read 1°* *Feb* 10 [Bill 1]
Moved, "That the Bill be now read 2°" *Mar* 1 1113; after short debate, Bill read 2°

Civil Service Commission—Classification of Public Offices
Question, Sir Joseph Bailey; Answer, The Chancellor of the Exchequer *Mar* 9, 1669

CLANRICARDE, Marquess of
Ireland—Bankruptcy Law, 376
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CLEVELAND, Duke of
Pauper Inmates Discharge, &c. Comm. *cl*. 5, 1158

COCHRANE, Mr. A. D. W. Baillie, *Isle of Wight*
France and Germany—Entry of Prussian Troops into Paris, 378
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COLERIDGE, Sir J. D., *see* SOLICITOR GENERAL, The

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COLLINS, Mr. T., *Boston*
Burials, 2R. 1142
Marriage with a Deceased Wife's Sister, Comm. 1599; *cl*. 1, 1602
Registration of Deeds, &c. (Middlesex), 2R. 1156

CORBETT, Colonel E., *Shropshire, S.*
Army—Direct Commissions, Passed Candidates for, 1871

Coroners Bill
(*Mr. Goldney, Mr. Walter, Mr. Thomas Chambers*)
c. Ordered; read 1°* *Feb* 13 [Bill 20]

CORRANCE, Mr. F. S., *Suffolk, E.*
Education—National School Endowments, 1393
France and Germany—Terms of Peace, Res. 437
Stamp Duties, &c. 1170

CORRIGAN, Sir D. J., *Dublin City*
Burials, 2R. 1148
Ecclesiastical Titles Act Repeal, 2R. 806
Elections (Parliamentary and Municipal), Leave, 552
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Ireland—Distribution of Duplicate Works—British Museum, &c. 757
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CORRY, Right Hon. H. T. L., *Tyrone Co.*
Navy—Admiralty, The, 467
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County Courts (Jurisdiction and Procedure) Bill (*Mr. Norwood, Mr. Whitwell*)
c. Ordered; read 1°* *Feb* 14 [Bill 31]

County Property Bill
(*Mr. Stopford-Sackville, Mr. Hunt, Lord Henley*)
c. Ordered; read 1°* *Feb* 14 [Bill 29]
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l. Read 1ª* (*The Duke of Richmond*) *Mar* 9 (No. 35)

Court of Hustings (London) Abolition Bill
Question, Mr. W. H. Smith; Answer, The Attorney General *Mar* 7, 1500

Courts of Justice and Appeal Bills
Question, Mr. Headlam; Answer, Mr. Bruce *Mar* 9, 1668

Courts of Justice, The New
Question, Mr. G. B. Gregory; Answer, Mr. Ayrton *Feb* 10, 120

Cowper-Temple, Right Hon. W. F., *Hampshire, S.*
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Craufurd, Mr. E. H. J., *Ayr, &c.*
Education (Scotland), 2R. 981
Game Laws (Scotland) Amendment, 2R. 1591

Crawford, Mr. R. W., *London*
Income Tax—Servants of Private Firms, 1499

Criminal Law
Acquittal of Martha Torpey, Observations, Question, Earl Stanhope, Lord Cairns; Reply, The Lord Chancellor *Mar* 10, 1753
Capital Punishment—Report of Commission, 1866, Question, Sir George Jenkinson; Answer, Mr. Bruce *Feb* 23, 760
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Infant Life, Protection of, Question, Mr. Charley; Answer, Mr. Bruce *Feb* 16, 318
Magistrates, The Pershore, Question, Mr. P. A. Taylor; Answer, Mr. Bruce *Mar* 10, 1765; *Mar* 14, 1984
Prison Labour—The Mat Makers, Question, Colonel Beresford; Answer, Mr. Bruce *Feb* 21, 584

Criminal Law — Convicts for Political Offences—Release of Fenian Prisoners
Question, Captain Dawson-Damer; Answer, Mr. Bruce *Feb* 13, 164
Address for, "Return of the names of any convicts who may have been specially discharged from custody since the 1st of August 1870 as having been political offenders; together with a statement of the crimes of which they had severally been convicted, and the dates of their conviction: Also, Copy of any instructions given by Her Majesty's Government with respect to the conditions on which such convicts were to be released, and to any arrangements made for sending them away from the United Kingdom" (*Earl Grey*) *Mar* 9, 1604; after long debate, Motion agreed to

Croft, Sir H. G. D., *Herefordshire*
Government Life Insurance Office, 319

Cross, Mr. R. Assheton, *Lancashire, S.W.*
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Licensing, 124, 1169
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Cubitt, Mr. G., *Surrey, W.*
Navy—Deptford Dockyard, 754

Custom House Officers' Grievances—Committee of 1869
Question, Mr. Graves; Answer, Mr. Stansfeld *Feb* 21, 589

Customs and Inland Revenue Act (1870) Extension Bill (*Mr. Heron, Mr. Pim*)
c. Ordered; read 1° * *Feb* 15 [Bill 33]

Customs and Inland Revenue Duties Act (1869) Amendment Bill
(*Mr. Bourke, Mr. Cross, Mr. Beckett Denison*)
c. Ordered; read 1° * *Mar* 7 [Bill 69]

Customs, Retirement and Compensation in the
Question, Mr. Monk; Answer, Mr. Stansfeld *Feb* 27, 938

Dalglish, Mr. R., *Glasgow*
India—Civil Engineers, Res. 1355

Dalrymple, Mr. C., *Buteshire*
Education—Revised Code, 1273
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Dalrymple, Mr. D., *Bath*
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Dangerous Manufactures — Licences and Inspection
Question, Mr. Brogden; Answer, Mr. Bruce *Feb* 24, 831

Davison, Right Hon. J. R., *Durham*
Army Regulation, 2R. 1415

Dawson, Mr. R. Peel-, *Londonderry Co.*
Ireland—Constabulary—Gun Licences Act, 755

Dease, Mr. E., *Queen's Co.*
Army—Disbanded Colonial Regiments, 1981

Debenture Stocks, Transfer of — Stamp Duties
Question, Mr. J. B. Smith; Answer, The Chancellor of the Exchequer *Mar* 10, 1766

Defence Commission—National Defences
Address for, "Returns of the number of places which it was recommended by the Defence Commission, 1859, should be fortified, and of which the fortifications are now complete: the number of tents and tent equipages now in store, exclusive of officers and hospital tents: the amount of barrack accommodation in England and Scotland, specified according to districts and counties: the barracks and barrack grounds sold or disposed of within the last two years" (*The Earl of Carnarvon*) *Feb* 23, 692; after long debate, Motion amended, and agreed to

DELAHUNTY, Mr. J., *Waterford City*
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1259

DE LA WARR, Earl
Defence Commission, Address for Returns, 745

DENBIGH, Earl of
Rome—Occupation of, by the Sovereign Pontiff, Motion for a Paper, 571

DENISON, Right Hon. J. E. (*see* SPEAKER, The)

DENISON, Mr. C. BECKETT-, *Yorkshire, W.R., E. Div.*
East India Revenue Accounts, Comm. 913
France and Germany—Re-victualling of Paris, 169
India—Finances, Motion for a Committee, 767

DENMAN, Hon. G., *Tiverton*
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DENT, Mr. J. D., *Scarborough*
Army—Commissions, Double, 1394
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DERBY, Earl of
Fenian Prisoners, Release of, Address for Papers, 1645

DICKINSON, Mr. S. S., *Stroud*
Army—Recruiting, 321
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DICKSON, Major A. G. *Dover*
Army Administration, Res. 631, 833
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DILKE, Sir C. W., *Chelsea, &c.*
Black Sea Conference, 119
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Treaty of Paris—The Conference, 1671

DILLWYN, Mr. L. L., *Swansea*
Mines Regulation, 2R. 810
Official Salaries, Motion for a Committee, 1990

DIMSDALE, Mr. R., *Hertford*
Education Act, Working of the, 756

Diplomatic and Consular Services
Select Committee appointed, "to inquire into the constitution of the Diplomatic and Consular Services and their maintenance on the efficient footing required by the political and commercial interests of the country" (*Mr. Bouverie*); List of the Committee *Feb* 23, 827

DISRAELI, Right Hon. B., *Buckinghamshire*
Elections (Parliamentary and Municipal), 589
India—Finances, Motion for a Committee, 773
Ireland—Westmeath, &c. Unlawful Combinations, 944; Motion for a Committee, 1003, 1258, 1260
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Russia and Prussia—Alleged Treaty between, 1501
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DIXON, Mr. G., *Birmingham*
Education—New Code, 1674
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Education (Scotland), Leave, 220; 2R. 984

DODDS, Mr. J., *Stockton*
Education—New Revised Code, 1502
Salmon Fishery, 759

DODSON, Mr. J. G. (Chairman of the Committee of Ways and Means), *Sussex, E.*
Marriage with a Deceased Wife's Sister, Comm. 1600

DOWNING, Mr. M'Carthy, *Cork Co.*
Ireland—Fisheries, 1166
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1024

DOWSE, Mr. R. (Solicitor General for Ireland), *Londonderry Bo.*
Ireland—High Sheriffs, Qualification for, 587; Motion for Papers, 660
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1231, 1233

Duchy of Lancaster—Accounts of
Personal Explanation (*Sir Robert Peel*) *Feb* 20, 498; Question, The Earl of Harrowby; Answer, Lord Dufferin *Feb* 27, 927

Duff, Mr. M. E. Grant (Under Secretary of State for India), *Elgin, &c.*
Ceylon—Adam's Bridge, 837
*East India Accounts, Comm. 868, 919
India—Questions, &c.
  Bonus Compensation Committees, 1270
  College for Engineers, 1272, 1876, 1877
  Field Artillery, 1028
  Finance, 376, 377
  Harbours, 1785
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India—Civil Engineers, Res. 1331, 1349
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India Office Museum, 1980, 1981

Dufferin, Lord (Chancellor of the Duchy of Lancaster)
Duchy of Lancaster, 927, 932
Fenian Prisoners, Release of, Address for Papers, 1615, 1627
Ireland—Bankruptcy Law, 376
  Law Reform, 1603

Durham Church Leaseholds
Moved, "That, in order to prevent hardship being inflicted on Lessees of the Church property of the Dean and Chapter of Durham by the running out of their Leases, on which they or their predecessors have invested capital on the faith of the continued renewal of such Leases, the Ecclesiastical Commissioners, in fixing the terms for enfranchisements or for the purchase of Leasehold interests, ought to have regard to the just and reasonable claims of Lessees arising from the long continued practice of renewal" (*Mr. Stevenson*) *Mar* 7, 1505; after short debate, Motion withdrawn

Dynevor, Lord
Benefices Resignation, Comm. *cl.* 3, 1974; *cl.* 7, 1978

East India Revenue Accounts
c. Considered in Committee *Feb* 24, 868
Moved, "That it appears by the Accounts laid before this House that the total Revenue of India for the year ending the 31st day of March 1870 was £50,901,081; the total of the direct claims upon the Revenue, including charges of collection and cost of Salt and Opium, was £9,230,823; the charges in India, including Interest on Debt, and Public Works ordinary, were £32,293,859; the value of Stores supplied from England was £1,379,052; the charges in England were £6,331,614; the Guaranteed Interest on the Capital of Railway and other Companies, in India and in England, deducting net Traffic Receipts, was £1,547,064, making a total charge for the same year of £50,782,412; and there was an excess of Income over Expenditure in that year amounting to £118,669; that the charge for Public Works extraordinary was £2,599,614, and that including that charge the excess of Expenditure over Income was £2,480,945" (*Mr. Grant Duff*); after long debate, Motion agreed to

East India Revenue Accounts—cont.
Resolution reported; read the first and second time; Moved, "That this House doth agree with the Committee in the said Resolution" *Feb* 28; Debate arising; Debate adjourned till Thursday
Order read, for resuming Adjourned Debate on Question [28th February], "That this House doth agree with the Committee [on East India Revenue Accounts] in the Resolution which upon that day was reported from the said Committee:" Question again proposed; Debate resumed *Mar* 6, 1477; after short debate, Question put, and agreed to

Eastwick, Mr. E. B., *Penryn, &c.*
Abyssinia—Envoy of Prince Kassa, 1776
Africa, South, Res. 1295
Army—Fleetwood Barracks, 1388
  Military Districts, 492
  Promotion, 1033
Army Regulation, 2R. 1931
Caracas—British Claims, 489
Ceylon—Adam's Bridge, 837
East India Revenue Accounts, Comm. 907

Ebury Lord
Prayer Book (Tables of Lessons), 2R. 1860
Table of Lessons—Ritual Commission, 1269

Ecclesiastical Dilapidations Bill [H.L.]
(*The Lord Archbishop of York*)
l. Presented; read 1^a* *Feb* 10 (No. 2)
Moved, "That the Bill be now read 2^a" *Feb* 21, 557; after short debate, Bill read 2^a

Ecclesiastical Titles Act Repeal Bill
(*Mr. Attorney General, Mr. Gladstone, Mr. Solicitor General*)
c. Motion for Leave (*Mr. Attorney General*) *Feb* 14, 273; Bill ordered, after short debate; read 1^o* [Bill 27]
Moved, "That the Bill be now read 2^o" *Feb* 23, 780
Amendt. to leave out "now" and add "upon this day six months" (*Mr. Charley*); after long debate, Question put, "That 'now' &c.;" A. 137, N. 51; M. 86; Bill read 2^o
Order for Committee discharged *Mar* 2, 1264
Moved, "That the Bill be committed to a Select Committee;" Debate adjourned
Debate resumed *Mar* 3, 1355
Amendt. to leave out from "That" and add "a Select Committee be appointed to inquire into the operation of any Law or Laws as to the assumption of Ecclesiastical Titles in Great Britain and Ireland, and whether any and what alteration should be made therein" (*Mr. Newdegate*); after short debate, Question proposed, "That the words, &c.;" A. 73, N. 10; M. 63; Bill committed to a Select Committee

Education
Elementary Education Act (1870)
Census, The, Question, Mr. Melly; Answer, Mr. Bruce *Mar* 7, 1499
Compulsory Education, Question, Colonel Wilson Patten; Answer, Mr. W. E. Forster *Feb* 14, 252

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Education—cont.

Drill and Gymnastics, Moved, "That, in the opinion of this House, instruction in military drill and gymnastics should be given in all State-aided and Rate-aided Schools to boys over eight years of age; and that a Rule to that effect should be introduced into the 'Revised Code'" (*Mr. Robert Torrens*) *Mar* 7, 1559; after short debate, Motion withdrawn

Endowed Schools Commissioners—Elementary Education, Question, Sir Michael Hicks-Beach; Answer, Mr. W. E. Forster *Feb* 16, 316

School Building Grants, Question, Mr. Dimsdale; Answer, Mr. W. E. Forster *Feb* 23, 756

Schoolmasters, Superannuation of, Question, Mr. Whitwell; Answer, Mr. W. E. Forster *Feb* 27, 940

Transfer of Schools of the National Society, Question, Mr. A. Johnston; Answer, Mr. W. E. Forster *Mar* 7, 1503

Voting for School Boards, Question, Mr. R. N. Fowler; Answer, Mr. W. E. Forster *Feb* 27, 937

The New Code (1871)

Article 19—*School Attendances*, Questions, Mr. Assheton Cross, Mr. Gathorne Hardy; Answers, Mr. W. E. Forster *Mar* 6, 1394

Blind and Deaf-mute Children, Question, Mr. Wheelhouse; Answer, Mr. W. E. Forster *Mar* 10, 1770

Building Grants to Schools—Clause 17—*Subsection C.*, Question, Mr. Hick; Answer, Mr. W. E. Forster *Mar* 2, 1166 [*also* 1033]

Commencement of New Code, Question, Mr. C. Dalrymple; Answer, Mr. W. E. Forster *Mar* 3, 1273

Elementary Schools—Morning and Evening Schools, Question, Lord Robert Montagu; Answer, Mr. W. E. Forster *Mar* 2, 1167

Extra Subjects—Music, Questions, Mr. Reed, Mr. Dixon; Answers, Mr. W. E. Forster *Mar* 9, 1673

Grants for Infant Pupils, Question, Mr. W. H. Smith; Answer, Mr. W. E. Forster *Feb* 28, 1033

Grants to School Managers, Question, Mr. R. Bright; Answer, Mr. W. E. Forster *Mar* 3, 1270

Infant School Children, Articles 19, 20, 21, Question, Mr. Baines; Answer, Mr. W. E. Forster *Mar* 10, 1774

National School Endowments, Question, Mr. Corrance; Answer, Mr. W. E. Forster *Mar* 6, 1393

Public School Commissioners—New Statutes, Question, Mr. Stone; Answer, The Solicitor General *Feb* 23, 749

Scotland—Training Schools, Question, Mr. Miller; Answer, Mr. W. E. Forster *Feb* 23, 751

Standard 2 *Revised Code, Standard* 1 *New Code*, Question, Mr. Dodds; Answer, Mr. W. E. Forster *Mar* 7, 1502 [*also* 1033]

The New Code, Question, Sir Massey Lopes; Answer, Mr. W. E. Forster *Feb* 16, 318; Question, Mr. Gathorne Hardy; Answer, Mr. W. E. Forster *Feb* 27, 934

Education — The New (Revised) Code (1871)

Observations, Mr. Kay Shuttleworth; debate thereon *Mar* 10, 1788

Amendt. on Committee of Supply *Mar* 10, To leave out from "That" and add "an humble Address be presented to Her Majesty, praying that She will be graciously pleased to direct that such alterations be made in the New Code of Regulations issued by the Committee of the Privy Council on Education, and now lying upon the Table of this House, as shall prevent any increased scale of Grants of Public Money to Denominational Schools: That in Article 32, after Section (a) 1, there be added 'Three times the amount of such subscriptions alone:' That in Article 32, after Section (a), there be added—(b) The amount of any annual endowment; (c) The excess of the income of the school for the year from all sources over its expenditure in that year" (*Mr. Dixon*), 1788; Question proposed, "That the words, &c.;" after debate, Question put; A. 231, N. 64; M. 167

Observations, Notice of Resolutions withdrawn (*Earl Nelson*); debate thereon *Mar* 13, 1845

Education of the Blind, Deaf, and Dumb Bill

(*Mr. Wheelhouse, Mr. Mellor, Mr. Ward Jackson*)

c. Ordered; read 1°* *Feb* 13 [Bill 14]

Moved, "That the Bill be now read 2°" *Mar* 8, 1593

Amendt. to leave out "now" and add "upon this day six months" (*Mr. Hibbert*); after short debate, Question, "That 'now,' &c.," put, and negatived; words added; main Question, as amended, put, and agreed to; Bill put off for six months

Education (Scotland) Bill

(*The Lord Advocate, Mr. Secretary Bruce, Mr. William Edward Forster*)

c. Motion for Leave (*The Lord Advocate*) *Feb* 13, 197; Bill ordered, after long debate; read 1°* [Bill 17]

Question, Dr. Lyon Playfair; Answer, The Lord Advocate *Feb* 20, 494; Question, Mr. Gordon; Answer, Mr. Bruce *Feb* 23, 762

Moved, "That the Bill be now read 2°" *Feb* 27, 946; after long debate, Bill read 2°

Grants to Roman Catholic Schools, Question, Mr. Dixon; Answer, The Lord Advocate *Feb* 27, 941

EGERTON, Hon. A. F., *Lancashire, S.E.*

Army—Yeomanry Regiments and Rifle Ranges, 1503

Mines Regulation, 2R. 810

ELCHO, Lord, *Haddingtonshire*

Army Regulation, 2R. Motion for Adjournment, 1477, 1679, 1706, 1712

Mines Regulation, 2R. 809

Elections (Parliamentary and Municipal) Bill
(*Mr. William Edward Forster, Mr. Secretary Bruce, The Marquess of Hartington*)
c. Motion for Leave (*Mr. W. E. Forster*) *Feb* 20, 529 ; Bill ordered, after debate ; read 1° * [Bill 45]
Question, Mr. Disraeli ; Answer, Mr. W. E. Forster *Feb* 21, 589 ; Question, Mr. G. Bentinck ; Answer, Mr. W. E. Forster *Feb* 23, 762 ; Question, Mr. Pim ; Answer, Mr. W. E. Forster *Mar* 19, 1669

Elementary Education Act (1870) Amendment Bill
(*Mr. Dixon, Mr. Bayley Potter, Mr. Jacob Bright, Mr. Muntz*)
c. Ordered ; read 1° * *Mar* 7 [Bill 67]

Elliot, Mr. G., *Durham, N.*
Mines Regulation, 2R. 813

Elphinstone, Sir J. D. H., *Portsmouth*
Ceylon—Adam's Bridge, 834
East India Revenue Accounts, Comm. 918
Game Laws (Scotland) Amendment, 2R. 1572, 1586
India—Harbours, 1778
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1258
Merchant Shipping Survey, 2R. 686
Navy—Admiralty, The, 464, 471 ;—New First Lord of the, 1505
" Captain," Loss of the, 327
Robinson, Sir S., Case of, 163
Parliament—Address in Answer to the Speech, 116

Emigration—The Circular Despatch
Question, Mr. Macfie ; Answer, Mr. Knatchbull-Hugessen *Mar* 6, 1394

Endowed Schools Act (1869) Amendment Bill
(*Sir John Lubbock, Lord Edmond Fitzmaurice, Mr. Thomas Hughes, Mr. Rathbone*)
c. Ordered ; read 1° * *Feb* 23 [Bill 55]

Endowed Schools Commissioners—Dulwich College
Question, The Earl of Harrowby ; Answer, Lord Lyttelton *Mar* 2, 1163

Enfield, Viscount (Under Secretary of State for Foreign Affairs), *Middlesex*
Abyssinia—Envoy of Prince Kassa, 1775
Anglo-American Commission, 583
Black Sea—Conference, 120, 1870
Neutralization of, 498, 1870
Brazil—Claims of British Subjects, 939
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China and Japan Consular Reports, 752
China—Destruction of Consular Buildings at Shanghai, 1168
France—Military Attaché at Paris, 1504
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France and Germany—Questions, &c.
Alleged Congratulatory Messages to the Crown Prince of Germany, 833
Alleged Pillage by Prussians, 379
Departure of General Claremont from Paris, 1768
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International Law, Revision of, 933
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Paris—Treaty of 1856, 1502—Neutralization of the Black Sea—The Conference, 1870
Russell, Mr. Odo, Despatch of, 1876
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Emperor of Russia, and General Fleury, 748
United States—Joint Commission, 378

Epping Forest—Felling Timber
Question, Sir Henry Selwin-Ibbetson ; Answer, The Chancellor of the Exchequer *Mar* 13, 1875

Erskine, Vice-Admiral J. E., *Stirlingshire*
Navy—Naval Reserve, 1384

Eversley, Viscount
Presbyterian Church of Ireland — Primitive Wesleyan Methodist Society, 2R. 1969

Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Eykyn, Mr. R., *Windsor*
Metropolis—Cab Fares, 1396
Pedlars' Certificates, 1037
Post Office, The New, 324
Post Office—Small Parcels, Res. 2021

Factory Acts—The Workshops Act
Question, Mr. Charles Dalrymple ; Answer, Mr. Bruce *Feb* 16, 320

Fairs Bill
(*Viscount Bury, Mr. Eykyn, Mr. Clare Read*)
c. Ordered ; read 1° * *Feb* 28 [Bill 60]
Read 2° * *Mar* 8
Committee * ; Report *Mar* 9
Read 3° * *Mar* 14

Fawcett, Mr. H., *Brighton*
Inclosure Law Amendment, Leave, 278 ; 2R. Motion for Adjournment, 826
India—Civil Engineers, Res. 1340
India—Finances, Motion for a Committee, 381, 386, 387
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University Tests, Comm. *cl.* 3, Amendt. 509, 521, 522 ; 3R. 777, 780

Fires Bill (*Mr. M'Lagan, Mr. Agar-Ellis, Mr. Charles Turner*)
c. Ordered; read 1° * *Feb* 17 [Bill 44]

Fitzgerald, Right Hon. Lord Otho (Comptroller of the Household), *Kildare Co.*
Parliament—Her Majesty's Answer to Address, 172

Fitzmaurice, Lord E. G., *Calne*
University Tests, Comm. *cl.* 3, 512

Fordyce, Mr. W. D., *Aberdeenshire, E.*
Game Laws (Scotland) Amendment, 2R. 1585
Scotland—Game Laws, 585

Foreign Affairs—Guarantees of Foreign States and Territories
Moved, "That the collection of Guarantees published in 1859 should be reprinted, with the addition of any that have been contracted since that time" (*The Marquess of Salisbury*) *Mar* 6, 1360; after debate, Motion agreed to (No. 33)

Forester, Right Hon. Major General G. C. W., *Wenlock*
India—Appeals, 1034

Forster, Right Hon. W. E. (Vice President of the Committee of Council on Education), *Bradford*
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Education—Questions, &c.
  Compulsory, 252
  Elementary Schools, 1167
  Endowed Schools, 316, 1393
  New Code, The—Infant School Children, 1774
  Revised Code, 318, 934, 1273, 1502;—Music, 1673, 1675, 1798, 1799, 1827
  School Attendances, 1395
  School Grants, 1033, 1167, 1270
  Superannuation of Schoolmasters, 940
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Education—Drill and Gymnastics, Res. 1559
Education Act, Working of the, 756
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Education (Scotland), 2R. 982
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Fortescue, Right Hon. Chichester S. (Vice President of the Board of Trade), *Louth Co.*
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Fortescue, Right Hon. Chichester S.—*cont.*
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1019
Merchant Shipping, Leave, 231
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Fowler, Mr. R. N., *Penryn, &c.*
Africa, South, Res. 1275, 1283, 1286, 1296
Education—Voting for School Boards, 937
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Fowler, Mr. W., *Cambridge Bo.*
East India Revenue Accounts, Comm. 898
Local Taxation, Res. 1067

France and Germany
Alleged Congratulatory Messages to the Crown Prince of Germany, Question, Sir Henry Hoare; Answer, Viscount Enfield *Feb* 24, 833; Question, Sir Henry Hoare; Answer, Mr. Gladstone *Feb* 24, 866
Alleged Pillage by the Prussian Armies, Question, Mr. Goldsmid; Answer, Viscount Enfield *Feb* 17, 379
British Vessels in the Seine, Sinking of, Question, Mr. Eustace Smith; Answer, Viscount Enfield *Feb* 14, 253
Entry of the Prussian Army into Berlin—Colonel Walker, Question, Mr. W. Lowther; Answer, Viscount Enfield *Mar* 10, 1767
Mediation, Offer of, Question, Mr. Otway; Answer, Viscount Enfield *Mar* 10, 1769

Siege of Paris
Absence of the English Consul, Question, Mr. Goldsmid; Answer, Viscount Enfield *Feb* 13, 166; Question, Observations, The Earl of Malmesbury; Reply, Earl Granville *Feb* 21, 573; Question, Sir Robert Peel; Answer, Mr. Gladstone *Feb* 21, 585; Observations, Sir Robert Peel; Reply, Mr. Gladstone; debate thereon *Mar* 3, 1296
Departure of General Claremont from Paris, Question, Mr. Rylands; Answer, Viscount Enfield *Mar* 10, 1768
Entry of the German Army into Paris, Question, Mr. Baillie Cochrane; Answer, Viscount Enfield *Feb* 17, 378; Questions, Mr. Otway; Answer, Mr. Gladstone *Feb* 27, 941
Military Attachés with the Prussian and French Armies, Question, Captain Beaumont; Answer, Mr. Cardwell *Feb* 28, 1036
Reports of the Military Attaché at Paris, Question, Sir Robert Peel; Answer, Viscount Enfield *Mar* 7, 1504
Re-Victualling of Paris, Question, Mr. Brown; Answer, Mr. Baxter *Feb* 10, 124; Question, Mr. Beckett Denison; Answer, Mr. Gladstone *Feb* 13, 169

France and Germany—Terms of Peace—The Neutral Powers
  Question, Mr. Auberon Herbert; Answer, Mr. Gladstone *Feb* 13, 171; *Feb* 16, 326
  Amendt. on Committee of Supply *Feb* 17, To leave out from "That" and add "this House is of opinion that it is the duty of Her Majesty's Government to act in concert with other neutral Powers to obtain moderate terms of peace, and to withhold all acquiescence in terms which might impair the independence of France, or threaten the future tranquillity of Europe" (*Mr. Auberon Herbert*), 387; Question proposed, "That the words, &c.;" after long debate, Amendt. withdrawn

Game Laws Abolition Bill
(*Mr. Taylor, Mr. Dickinson, Mr. Jacob Bright, Mr. M'Combie*)
c. Ordered * *Feb* 21
  Read 1° * *Feb* 22 [Bill 51]

Game Laws Amendment Bill
(*Mr. Hardcastle, Mr. Leatham, Mr. Straight*)
c. Ordered; read 1° * *Feb* 14 [Bill 30]

Game Laws Amendment (No. 2) Bill
(*The Lord Advocate, Mr. Secretary Bruce*)
c. Ordered * *Mar* 9
  Read 1° * *Mar* 13 [Bill 71]

Game Laws (Scotland) Amendment Bill
(*Mr. Loch, Sir Robert Anstruther, Mr. Parker*)
c. Ordered; read 1° * *Feb* 10 [Bill 4]
  Moved, "That the Bill be now read 2°" *Mar* 8, 1561
  Amendt. to leave out "now" and add "upon this day six months" (*Lord Garlies*); after debate, Question put, "That 'now,' &c.;" A. 85, N. 154; M. 69; words added; main Question, as amended, put, and agreed to; Bill put off for six months

Game Laws (Scotland) Amendment (No. 2) Bill (*Mr. M'Lagan, Sir Alexander Maitland, Mr. Orr Ewing*)
c. Ordered; read 1° * *Feb* 13 [Bill 21]

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    Direct Commissions, Passed Candidates for, 1871
    Married Subalterns, 1385
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  Question, Mr. Rylands; Answer, Viscount Enfield *Feb* 16, 319

GILPIN, Colonel R. T., *Bedfordshire*
  Army Regulation, 2R. 1445
  Convict Prisons, Clerks of, 1393, 1669

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  Africa, South, Res. 1281
  Ecclesiastical Titles Act Repeal, 2R. 802
  India—Finances, Motion for a Committee, 772
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  Anglo-American Commission, 325, 498, 582
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  Export of Arms to Belligerent States, 1764
  France and Germany—Questions, &c.
    Alleged Congratulatory Messages to the Crown Prince of Germany, 866
    Entry of German Troops into Paris, 942
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  Marriage with a Deceased Wife's Sister, Comm. *cl.* 1, 1749
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  Princess Louise—The Queen's Message, Res. 172;—Marriage Portion, Res. 359, 370
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  Treaty of Paris—Mr. Odo Russell, 319, 495, 848, 850, 854, 1503;—The Conference, 1671
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Glyn, Hon. G. G., *Shaftesbury*
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Goldsmid, Sir F. H., *Reading*
East India Revenue Accounts, Comm. 914
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†Local Taxation, Res. 1084, 1090, 1091, 1092, 1101
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(*Mr. Donald Dalrymple, Mr. Gordon, Mr. Pease, Mr. Downing*)
c. Motion for Leave (*Mr. D. Dalrymple*) *Feb* 14, 254; Bill ordered
  Read 1° * *Feb* 15 [Bill 38]

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Hamilton, Lord G. F., *Middlesex*
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  Education—New Code, 934
    School Attendances, 1395
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  Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1016
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  Poor Law (Metropolis)—Small Pox Hospitals, 1872
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  Army Regulation, 2R. 1452
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Trades Unions, Leave, 272 ; 2R. 2043

Heron, Mr. D. C., *Tipperary Co.*
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Local and Personal Acts (Ireland), Leave, 257

H.R.H. The Princess Louise

Lords—

Marriage of the Princess Louise—Message from the Queen, Delivered by the Earl Granville, and read by the Lord Chancellor *Feb* 10, 119

Ordered, That the said Message be taken into consideration on Monday next

Her Majesty's most gracious Message considered *Feb* 13, 155 ; after short debate, an humble Address of thanks and concurrence ordered *Nemine Dissentiente* to be presented to Her Majesty thereupon

Commons—

Message from the Queen—Message from Her Majesty brought up, and read by Mr. Speaker *Feb* 10, 146

Committee thereupon upon Monday next

Message from Her Majesty considered in Committee *Feb* 13, 172 ; after some time, *Resolved, Nemine Contradicente*, That the annual sum of Six Thousand Pounds be granted to Her Majesty, out of the Consolidated Fund of Great Britain and Ireland, the said Annuity to be settled on Her Royal Highness Princess Louise, for her life, in such manner as Her Majesty shall think proper, and to commence from the date of the Marriage of Her Royal Highness with the Marquis of Lorne

Heygate, Sir F. W., *Londonderry Co.*
Ireland—Ribandism in Westmeath, 1874

Heygate, Mr. W. U., *Leicestershire, S.*
Metropolis—Wellington Monument, 1979

Hibbert, Mr. J. T., (Secretary to the Poor Law Commissioners), *Oldham*
Education of the Blind, &c. 2R. Amendt. 1596
Poor Law (Metropolis)—Small Pox Hospitals, 1873

Hick, Mr. J., *Bolton*
Education—Building Grants to Schools, 1166

Highways Legislation
Question, Mr. G. Bentinck ; Answer, Mr. Bruce *Mar* 9, 1678

Hill, Mr. A. Staveley, *Coventry*
Trades Unions, 379

Hoare, Sir H. A., *Chelsea, &c.*
Army—Colonels, Promotion of, 830
Elections (Parliamentary and Municipal), Leave, 554
France and Germany—Alleged Congratulatory Messages to the Crown Prince of Germany, 833, 866
France and Germany—Terms of Peace, Res. 429
Metropolis—Hyde Park, Carriage Drive in, 1763

Holms, Mr. J., *Hackney*
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Hope, Mr. A. J. Beresford, *Cambridge University*
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Elections (Parliamentary and Municipal), Leave, 554
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Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1258
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Hoskyns, Mr. C. Wren-, *Hereford City*
Land Transfer, Res. 2026

Houghton, Lord
Marriage with a Deceased Wife's Sister, 1027

Hughes, Mr. T., *Frome*
Merchant Shipping Survey, 2R. 689
Trades Unions, Leave, 270 ; 2R. 2035

Hunt, Right Hon. G. W., *Northamptonshire, N.*
Abyssinian War, Cost of, 1873
Marriage with a Deceased Wife's Sister, Comm. Motion for Adjournment, 1600 ; *cl.* 1, 1749

Hutt, Right Hon. Sir W., *Gateshead*
Public Parks, &c. (Land), Leave, 254

Hypothec Abolition (Scotland) Bill
(*Mr. Carnegie, Mr. Fordyce, Mr. Craufurd*)
c. Ordered ; read 1°* *Feb* 10 [Bill 9]

Illingworth, Mr. A., *Knaresborough*
National Debt, Res. 1551

Inclosure Law Amendment Bill
(*Mr. Shaw Lefevre, Mr. Secretary Bruce*)
c. Motion for Leave (*Mr. Shaw Lefevre*) *Feb* 14, 275 ; Bill ordered, after short debate ; read 1°* [Bill 32]
Moved, "That the Bill be now read 2°" *Feb* 23, 819 ; after short debate, Debate adjourned

Inclosure of Commons Bill
Question, Sir Henry Selwin-Ibbetson ; Answer, Mr. Shaw Lefevre *Feb* 17, 380

Income Tax Assessment Bill
(*Mr. Stansfeld, Mr. Chancellor of the Exchequer*)
c. Ordered ; read 1°* *Mar* 6 [Bill 64]
Read 2°* *Mar* 14

Incorporation of Trustees of the Presbyterian Church of Ireland Bill
(*The Lord Cairns*)
l. Presented ; read 1ª* *Mar* 14 (No. 41)

India
Appeals—Natives of India and Indian Government, Question, General Forester ; Answer, Mr. Gladstone *Feb* 28, 1034

Army
Bonus Compensation Committees, Question, Colonel Sykes ; Answer, Mr. Grant Duff *Mar* 3, 1269
Field Artillery, Reduction of, Question, Colonel Barttelot ; Answer, Mr. Grant Duff *Feb* 28, 1028
North-west Frontier Medals, Question, Mr. Kinnaird ; Answer, Mr. Grant Duff *Mar* 9, 1678

Civil Engineers, College for, Question, Mr. Dickinson ; Answer, Mr. Grant Duff *Mar* 3, 1272
Indian Harbours, Observations, Sir James Elphinstone ; Reply, Mr. Grant Duff ; short debate thereon *Mar* 10, 1778
India Office Museum, Question, Colonel Sykes ; Answer, Mr. Grant Duff *Mar* 14, 1980

India—Civil Engineers
Amendt. on Committee of Supply *Mar* 3, To leave out from "That" and add "in the opinion of this House, young men qualified by character and attainments for admission into the service of the Government of India as Civil Engineers, ought not to be excluded from such service by reason of their not having been educated at a Government College" (*Sir Francis Goldsmid*), 1326 ; Question proposed, "That the words, &c. ;" after debate, Question put ; A. 46, N. 52 ; M. 6 ; words added ; main Question, as amended, put, and agreed to
Question, Mr. Fawcett ; Answer, Mr. Grant Duff *Mar* 13, 1876

India, Finances, &c. of
Amendt. on Committee of Supply *Feb* 17, To leave out from "That" and add "a Select Committee be appointed to inquire into the Financial and General Administration of the affairs of India" (*Mr. Fawcett*), 381 ; Question proposed, "That the words, &c. ;" after short debate, Amendt. withdrawn

Indian Finance
Appointment of a Select Committee on, Observations, Mr. Grant Duff ; Question, Colonel Sykes *Feb* 17, 376
Orders of the Day postponed *Feb* 23
Moved, That a Select Committee be appointed "to inquire into the Finance and Financial Administration of India" (*Mr. Gladstone*), 763 ; after short debate, Motion agreed to ; List of the Committee, 777
Question, Lord Lyveden ; Answer, The Duke of Argyll *Mar* 2, 1160

Infant Life Protection Bill
(*Mr. Charley, Dr. Brewer, Dr. Lyon Playfair*)
c. Question, Mr. Charley ; Answer, Mr. Bruce *Feb* 16, 318
Ordered ; read 1°* *Feb* 21 [Bill 49]

International Law, Revision of
Question, Sir Thomas Bazley ; Answer, Viscount Enfield *Feb* 27, 933

Intoxicating Liquors—Legislation
Question, Mr. Assheton Cross ; Answer, Mr. Bruce *Feb* 10, 124 ; *Mar* 2, 1169

Ireland
Bankruptcy Law (Ireland), Question, The Marquess of Clanricarde ; Answer, Lord Dufferin *Feb* 17, 376
Coroners, Question, Mr. Vance ; Answer, The Marquess of Hartington *Feb* 27, 939
Drogheda Magistracy—Appointment of Mr. Daly, Question, Colonel Stuart Knox ; Answer, Mr. Chichester Fortescue *Feb* 23, 753 ; Question, Colonel Stuart Knox ; Answer, The Marquess of Hartington *Mar* 9, 1665
Education — National Schools — Removal of Masters, Questions, Mr. Raikes, Mr. Maguire ; Answers, The Marquess of Hartington *Feb* 23, 746
Fisheries Legislation — Reports of the Commissioners, Question, Mr. M'Carthy Downing ; Answer, The Marquess of Hartington *Mar* 2, 1166
Grand Jury Laws Amendment, Question, The O'Conor Don ; Answer, The Marquess of Hartington *Feb* 17, 377

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IRELAND—*cont.*

Gun Licences Act—Irish Constabulary, Question, Mr. Peel Dawson; Answer, The Marquess of Hartington *Feb* 23, 755

High Sheriffs, Qualification for, Question, Mr. Monk; Answer, The Solicitor General for Ireland *Feb* 21, 587

Moved, "That there be laid before this House, a Copy of the Correspondence that has taken place between the gentlemen nominated to be High Sheriffs for the counties of Westmeath and Louth and Her Majesty's Government" (*Mr. Monk*) *Feb* 21, 658; after short debate, Motion withdrawn

Sheriffs, Question, Mr. Monk; Answer, The Marquess of Hartington *Mar* 7, 1500

Irish Land Act, Question, Mr. Stewart Hardy; Answer, Mr. Gladstone *Mar* 13, 1867

Mr. Monsell's Speech at Limerick, Explanation, Earl Granville *Feb* 10, 117

Labourers' Cottages, Question, Mr. W. H. Gregory; Answer, The Marquess of Hartington *Feb* 16, 327

Law Reform—Legislation, Question, The Marquess of Clanricarde; Answer, Lord Dufferin *Mar* 9, 1602

Parliament—The Vacant Seats, Questions, Mr. Heron, Mr. W. Johnston; Answers, The Marquess of Hartington *Feb* 27, 939

Poor Law—Law of Rating, Select Committee appointed, "to inquire into the operation of the Law relating to the area of Rating in Ireland, and to consider whether such Law may be beneficially amended" (*The Marquess of Hartington*) *Feb* 21, 662

Postmastership of Carlow, Question, Mr. Bruen; Answer, The Marquess of Hartington *Feb* 28, 1029

Post Office Telegraph System, Extension of the, Question, Mr. Kavanagh; Answer, Mr. Monsell *Mar* 9, 1668

Railways Purchase, Question, Captain Stacpoole; Answer, Mr. Gladstone *Mar* 9, 1675; Question, Mr. Vance; Answer, Mr. Chichester Fortescue *Mar* 13, 1874

Royal Dublin Society and the British Museum—Duplicate Works of Art, Question, Sir Dominic Corrigan; Answer, Mr. Bruce *Feb* 23, 757

Royal Residence, Question, Mr. Stacpoole; Answer, Mr. Gladstone *Feb* 20, 490

Tipperary, New Barracks at, Question, Mr. Heron; Answer, Mr. Cardwell *Feb* 27, 933

Tramways, Question, Mr. Synan; Answer, The Marquess of Hartington *Feb* 21, 583

Volunteer System in Ireland, Question, Mr. Bagwell; Answer, The Marquess of Hartington *Feb* 23, 759

Ireland—Convicts for Political Offences—Release of Fenian Prisoners

Question, Captain Dawson-Damer; Answer, Mr. Bruce *Feb* 13, 164

Address for, "Return of the names of any convicts who may have been specially discharged from custody since the 1st of August 1870 as having been political offenders; together with a statement of the crimes of which they had severally been convicted, and the dates of their conviction: Also, Copy of any instructions given by Her Majesty's Government with respect to the conditions on which such convicts were to be released, and to any arrangements made for sending them away from the United Kingdom" (*Earl Grey*) *Mar* 9, 1604; after long debate, Motion agreed to

Ireland, State of

Westmeath, &c. (*Unlawful Combinations*)

Notice, The Marquess of Hartington *Feb* 23, 762

Moved, That a Select Committee be appointed to "inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, the nature, extent, and effect of a certain unlawful combination and confederacy existing therein, and the best means of suppressing the same" (*The Marquess of Hartington*) *Feb* 27, 989; Previous Question proposed, "That that Question be now put" (*Mr. Serjeant Sherlock*); after debate, Debate adjourned

Debate resumed *Mar* 2, 1170; after long debate, Moved, "That the Debate be now adjourned" (*Mr. Maguire*); A. 178, N. 297; M. 119

Previous Question again proposed; Moved, "That this House do now adjourn" (*Mr. Matthews*); after short debate, Motion withdrawn

Previous Question put, "That that Question be now put" A. 398, N. 26; M. 372; main Question put; A. 256, N. 175; M. 81; Select Committee appointed

Division List, Ayes and Noes, 1260

Order [2nd March] for appointment of the Select Committee on Westmeath, &c. Unlawful Combinations read, and discharged

Select Committee appointed, "to inquire into the state of Westmeath and certain parts adjoining, of Meath and King's County, and the nature, extent, and effect of a certain unlawful combination and confederacy existing therein" (*Mr. Gladstone*) *Mar* 6, 1482

Question, Mr. M'Mahon; Answer, The Marquess of Hartington *Mar* 9, 1672

Select Committee nominated; List of the Committee *Mar* 9, 1750

Moved, "That the Select Committee have power to report the Evidence taken before them, and their Opinion thereon to the House" (*Mr. Newdegate*); after short debate, Question put, and agreed to

Observations, Mr. Disraeli; Reply, Mr. Gladstone *Feb* 27, 944; Observations, Mr. Gladstone *Mar* 6, 1381

Mayo, Murder in, Question, Captain Dawson-Damer; Answer, The Marquess of Hartington *Mar* 14, 1983

Resolution of Grand Jury of Meath, Questions, Lord Claud John Hamilton; Answer, Mr. Gladstone *Mar* 6, 1389; Question, Lord John Manners; Answer, Mr. Gladstone, 1395

Ribandism, Question, Mr. Monk; Answer, The Marquess of Hartington *Mar* 13, 1869; Question, Sir Frederick W. Heygate; Answer, Mr. Gladstone, 1874

Italy
Occupation of Rome by the Sovereign Pontiff, Motion for an Address for "Copy of a Despatch addressed by the Secretary of State for the Colonies, dated 16th January 1871, to the Governor of Gibraltar, on the subject of the Occupation of Rome by the Sovereign Pontiff" (*The Lord Oranmore and Browne*) *Feb* 21, 562; after short debate, Motion agreed to
Occupation of the Papal States, Question, Mr. W. Johnston; Answer, Mr. O'Reilly *Mar* 6, 1386
[See title *Rome—Letter of Mr. Gladstone*]

JAMES, Mr. H., *Taunton*
Elections (Parliamentary and Municipal), Leave, 555

JENKINSON, Sir G. S., *Wiltshire, N.*
Burials, 2R. 1148
Capital Punishment, 760
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1218
Merchant Shipping Survey, 2R. 683
Poor Law (Metropolis)—Small Pox, 1031

JESSEL, Mr. G., *Dover*
Ecclesiastical Titles Act Repeal, 2R. 805
Registration of Deeds, &c. (Middlesex), 2R. 1157
Trades Unions, 2R. 2041

JOHNSTON, Mr. A., *Essex, S.*
Elementary Education Act, 1503

JOHNSTON, Mr. W., *Belfast*
Ireland—Vacant Seats, 940
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1210
Italy—Papal States, 1386
Pope, The—Letter of Mr. Gladstone, Motion for Papers, 646, 656

Juries Act (1870) Amendment Bill (*Mr. Attorney General, Mr. Solicitor General*)
c. Ordered; read 1° * *Feb* 15 [Bill 34]
Moved, "That the Bill be now read 2°" *Feb* 16, 372; after short debate, Bill read 2°
Committee *; Report; Read 3° * *Feb* 17
l. Read 1ª * (*The Lord Chancellor*) *Feb* 20
Moved, "That the Bill be now read 2ª" *Feb* 21, 561; Bill read 2ª (No. 21)
Committee *; Report *Feb* 23
Read 3ª * *Feb* 24
Royal Assent *Feb* 28 [34 *Vict.* c. 2]

Jury Act—Payment of Jurors
Question, Mr. Lopes; Answer, The Attorney General *Feb* 13, 169

Justices Procedure (England) Bill [H.L.] (*The Lord Cairns*)
l. Presented; read 1ª * *Mar* 6 (No. 31)

KAVANAGH, Mr. A. M., *Carlow Co.*
Navy—"Megæra," The, 1391, 1773
Post Office—Telegraph System Extension, 1668

KAY-SHUTTLEWORTH, Mr. U. J., *Hastings*
Education—New Code, Res. 1788

KENNAWAY, Mr. J. H., *Devonshire, E.*
Army—Claims of Officers, 1028

KIMBERLEY, Earl of (Secretary of State for the Colonies)
Fenian Prisoners, Release of, Address for Papers, 1663
Marriage with a Deceased Wife's Sister, 1027
Pauper Inmates Discharge, &c. 2R. 920, 926; *cl.* 4, 1158; *cl.* 5, 1159; *cl.* 9, *ib.*, 1160
West African Settlements, 2R. 476

KING, Hon. P. J. Locke, *Surrey, E.*
Real Estate Intestacy, 322

KINNAIRD, Hon. A. F., *Perth*
Africa, South, Res. 1282
Game Laws (Scotland) Amendment, 2R. 1588
India—North West Frontier Medals, 1678
India—Finance, Motion for a Committee, 772
Navy—Robinson, Sir S., Case of, 162, 945

KNATCHBULL-HUGESSEN, Mr. E. H. (Under Secretary of State for the Colonies), *Sandwich*
Africa, South, Res. 1283
Canada—Defences of, 1673, 1773
Dominion of—British Columbia, 164
Cape of Good Hope—Diamond Diggings, 323
Emigration—Circular Despatch, 1394
Marriage with a Deceased Wife's Sister, 2R. 281
West Coast of Africa—Sierra Leone, 1675

KNOX, Hon. Colonel W. Stuart, *Dungannon*
Ireland—Drogheda, Magistracy of, 753;—Mr. Daly, 1665

LAMBERT, Mr. N. G., *Buckinghamshire*
Official Salaries, Motion for a Committee, 1985, 2003

Lancaster, Duchy of—Accounts of
Question, The Earl of Harrowby; Answer, Lord Dufferin *Feb* 27, 927; Personal Explanation (*Sir Robert Peel*) *Feb* 20, 498

Landed Property (Ireland) Act (1847) Amendment Bill (*Mr. Serjeant Sherlock, Mr. M'Mahon, Mr. Maguire*)
c. Ordered; read 1° * *Feb* 28 [Bill 59]

Land Registry—Declaration of Title
Moved, "That, in the opinion of this House, it is expedient to afford further facilities for the declaration of title through the Office of Land Registry" (*Mr. George Gregory*) *Mar* 14, 2023; after short debate, Motion withdrawn

Land, Transfer of—Legislation respecting
Question, Mr. Pim; Answer, Mr. Gladstone *Feb* 17, 377

Lansdowne, Marquess of (Lord of the Treasury)
Metropolis—Wellington Monument, St. Paul's Cathedral, Motion for Papers, 1760

Lauderdale, Earl of
National Engagements and Armaments, Motion for Papers, 1379

Lawrence, Alderman Sir J. C., *Lambeth*
Wines, Adulteration of, 748, 749;—Fortifying of, in Bond, 1667, 1668

Lawrence, Mr. Alderman W., *London*
Cattle Disease, 253
National Debt, Res. 1549

Lawson, Sir W., *Carlisle*
Parliament—Address in Answer to the Speech, Report, 136

Lea, Mr. T., *Kidderminster*
Army—Leave of Absence, 1388

Learmonth, Colonel A., *Colchester*
Army Regulation, 2R. 1729

Leatham, Mr. E. A., *Huddersfield*
Elections (Parliamentary and Municipal), Leave, 547

Leeman, Mr. G., *York*
Registration of Deeds, Wills, &c. (Middlesex), 2R. 1155

Lefevre, Mr. J. G. Shaw (Under Secretary of State for the Home Department), *Reading*
Inclosure Law Amendment, Leave, 275, 279, 381; 2R. 826
Merchant Shipping Survey, 2R. 671

Le Marchant, Sir Denis, Clerk of this House—Vote of Thanks
Moved, "A Vote of Thanks to Sir Denis Le Marchant, Baronet, upon his resignation of the office of Clerk of the House" (*Mr. Gladstone*) *Feb* 13, 232; after short debate, Motion agreed to
Resolved, Nemine Contradicente, That Mr. Speaker be requested to acquaint Sir Denis Le Marchant, baronet, that this House desires to express its sense of the manner in which he has uniformly discharged the duties of his important office during his long attendance in the service of this House

Lennox, Lord H. G. C. G., *Chichester*
Navy—Admiralty, The, 455, 466
Robinson, Sir S., Case of, 163, 164
Post Office—Small Parcels, Res. 2019

Lewis, Mr. Harvey, *Marylebone*
Army—Volunteer Uniforms, 491
Metropolis—Albert Memorial, 758

Liddell, Hon. H. G., *Northumberland, S.*
Local Taxation, Res. 1081
National Debt, Res. 1552
Official Salaries, Motion for a Committee, 2001

Life Insurance—Government Office
Question, Sir Herbert Croft; Answer, The Chancellor of the Exchequer *Feb* 16, 319

Lindsay, Hon. Colonel C. H., *Abingdon*
Army—Volunteers, Ammunition for the, 1768, 1769
Widows of Officers, 830
Army Regulation, 2R. 1419, 1676

Lindsay, Colonel R. J. Loyd, *Berkshire*
Army Regulation, 2R. Amendt. 1397

Lloyd, Sir T. D., *Cardigan, &c.*
Burials, 2R. 1141

Local and Personal Acts (Ireland) Bill
(*Mr. Heron, Mr. Pim, Mr. Bagwell*)
c. Motion for Leave (*Mr. Heron*) *Feb* 14, 257; Bill ordered; read 1° * [Bill 26]

Local Burdens, Adjustment of
Question, Mr. Acland; Answer, Mr. Gladstone *Mar* 14, 1980

Local Government Supplemental Bill
(*Mr. Shaw Lefevre, Mr. Secretary Bruce*)
c. Ordered; read 1° * *Mar* 2 [Bill 63]
Read 2° * *Mar* 6

Local Legislation (Ireland) Bill
(*Mr. M'Mahon, Mr. Montague Chambers, Mr. Matthews*)
c. Ordered; read 1° * *Feb* 16 [Bill 43]

Local Taxation
Moved, "That inasmuch as many of the existing and contemplated charges on the Local Rates are for National purposes, and that it is neither just nor politic that such charges should be levied exclusively from one description of property (viz. houses and land), this House is of opinion that it is the duty of the Government to inquire forthwith into the incidence of Imperial as well as Local Taxation, and take such steps as shall ensure that every description of property shall equitably contribute to all National burdens" (*Sir Massey Lopes*) *Feb* 28, 1037; Previous Question proposed, "That that Question be now put" (*Mr. Goschen*); after long debate, Question put; A. 195, N. 241; M. 46

Loch, Mr. G., *Wick, &c.*
Game Laws (Scotland) Amendment, 2R. 1561, 1578

Locke, Mr. J., *Southwark*
Inclosure Law Amendment, 2R. 827
Metropolitan Board of Works, 492, 829

Lodgers' Goods Protection Bill
(*Mr. H. B. Sheridan, Mr. Holms, Mr. Brogden, Mr. W. M. Torrens*)
c. Ordered; read 1° * *Feb* 22 [Bill 54]

London, Bishop of
Benefices Resignation, Comm. *cl.* 2, 1972; *cl.* 3, 1973; *cl.* 5, 1975; *cl.* 6, 1977
Prayer Book (Tables of Lessons), 2R. 1860; Comm. 1971

Lopes, Sir M., *Devonshire, S.*
Education—Revised Code, 318
Local Taxation, Res. 1037, 1090, 1091, 1092

Lopes, Mr. H. C., *Launceston*
Juries Act Amendment, 2R. 373
Jury Act, The, 169

Lowe, Right Hon. R. (see Chancellor of the Exchequer)

Lowther, Mr. J., *York City*
Inclosure Law Amendment, 2R. 826
Parliament—Business of the House, 946; Motion for Adjournment, 1110, 1111, 1112

Lowther, Mr. W., *Westmoreland*
France and Germany—Entry of the Prussian Army into Berlin—Colonel Walker, 1767
Siege of Paris, 1319

Lubbock, Sir J., *Maidstone*
India—Civil Engineers, Res. 1349
National Debt, Res. 1541

Lush, Dr. J. A., *Salisbury*
Medical Acts, 491

Lusk, Mr. Alderman A., *Finsbury*
House Tax and Landlords' Income Tax, 1388
Juries Act Amendment, 2R. 374

Lyttelton, Lord
Dulwich College, &c. 1163
Prayer Book (Tables of Lessons), 2R. 1866

Lyveden, Lord
India—Finances, 1160

McArthur, Mr. W., *Lambeth*
Burials, 2R. 1143

McClure, Mr. T., *Belfast*
Burials, 2R. 1137

McCombie, Mr. W., *Aberdeenshire, W.*
Game Laws (Scotland) Amendment, 2R. 1571

Macfie, Mr. R. A., *Leith, &c.*
Africa, South, Res. 1282
Anglo-American Commission, 497
East India Revenue Accounts, Comm. 919
Education (Scotland), Leave, 219
Emigration—Circular Despatch, 1394
Inclosure Law Amendment, Leave, 279
Patent Laws, Motion for a Committee, 1515

McLagan, Mr. P., *Linlithgowshire*
Education (Scotland), 2R. 983
France—Rinderpest in, 1676
Game Laws (Scotland) Amendment, 2R. 1583

McLaren, Mr. D., *Edinburgh*
Education of the Blind, &c. 2R. 1598
Education (Scotland), 2R. 977
Marriage with a Deceased Wife's Sister, Comm. *cl.* 1, 1600

McMahon, Mr. P., *New Ross*
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1672
Union Rating (Ireland), Leave, 235

Magniac, Mr. C., *St. Ives*
Mines Regulation, 2R. 808
Post Office—Postal Transit Rates, 755
Post Office—Small Parcels, Res. 2020

Maguire, Mr. J. F., *Cork City*
Ireland—National Schools, 747
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, Motion for Adjournment, 1257
Marriage with a Deceased Wife's Sister, 3R. Motion for Adjournment, 1843
Prison Ministers, 494

Mahon, Viscount, *Suffolk, E.*
Army Regulation, 2R. 1439, 1441

Malmesbury, Earl of
France and Germany—Absence of English Consul from Paris, 573
National Engagements and Armaments, Motion for Papers, 1375

Manners, Right Hon. Lord J. J. R., *Leicestershire, N.*
Abyssinia—Envoy of Prince Kassa, 1777
Burials, 2R. 1146
Ireland—Grand Jury of Westmeath, 1395
Public Offices, New, 1386
Treaty of Paris, 494

Marriage Laws—Legislation
Question, Mr. Monk; Answer, Mr. Bruce *Feb* 27, 933

Marriage with a Deceased Wife's Sister Bill (*Mr. Thomas Chambers, Mr. Morley*)
c. Ordered; read 1° * *Feb* 10 [Bill 2]
Moved, "That the Bill be now read 2°" *Feb* 15, 280
Amendt. to leave out "now," and add "upon this day six months" (*Sir Henry Selwin-Ibbetson*); after debate, Question put, "That 'now,' &c.;" A. 125, N. 84; M. 41; main Question put, and agreed to; Bill read 2°
Question, Lord Houghton; Answer, The Earl of Kimberley *Feb* 28, 1027
Order for Committee read; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 8, 1599; after short debate, Bill considered in Committee

[*cont.*

Marriage with a Deceased Wife's Sister Bill—cont.
  Moved, "That the Chairman do now leave the Chair" (*Mr. Hunt*); Question put; A. 84, N. 149; M. 65; Committee—R.P.
  Committee; Report *Mar* 9, 1748
  Moved, "That the Bill be now read 3°" *Mar* 10, 1843
  Moved, "That the Debate be now adjourned" (*Mr. Maguire*); after short debate, Motion withdrawn; original Question put, and agreed to; Bill read 3°
l. Read 1^{a}* (*Lord Penzance*) *Mar* 13 (No. 38)

MATTHEWS, Mr. H., *Dungarvan*
  Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, Motion for Adjournment, 1257, 1258

Medical Act (1858) Amendment Bill
  (*Dr. Lush, Mr. Mundella, Dr. Brewer*)
c. Ordered; read 1°* *Mar* 14 [Bill 72]

Medical Act (1858) Amendment (No. 2) Bill (*Mr. Brady, Mr. Haviland-Burke, Mr. Murphy*)
c. Ordered* *Mar* 14

Medical Acts Amendment
  Question, Dr. Lush; Answer, Mr. W. E. Forster *Feb* 20, 491

MELLY, Mr. G., *Stoke-upon-Trent*
  Census—Education, 1499
  Education—New Code, Res. 1820
  Parliament—Business of the House, Comm. 1111
  Stipendiary Magistrates, 757

MELVILLE, Viscount
  Navy—Admiralty, Board of, Motion for a Committee, 304

Merchant Service
  Case of the "Epaminondas," Question, Mr. Plimsoll; Answer, Mr. Bruce *Mar* 14, 1981
  Returns of Foreign Seamen, Question, Sir John Hay; Answer, Mr. Chichester Fortescue *Mar* 6, 1385

Merchant Shipping Bill
  (*Mr. Chichester Fortescue, Mr. Arthur Peel*)
c. Considered in Committee; Bill ordered, after short debate; read 1° *Feb* 13, 231 [Bill 15]

Merchant Shipping Survey Bill
  (*Mr. Plimsoll, Mr. Wheelhouse, Mr. Lambert*)
c. Considered in Committee; Bill ordered; read 1°* *Feb* 10 [Bill 3]
  Moved, "That the Bill be now read 2°" *Feb* 22, 662
  Amendt. to leave out "now," and add "upon this day six months" (*Mr. Eustace Smith*); Question proposed, "That 'now,' &c.;" after debate, Amendt. and Motion withdrawn; Bill withdrawn

METROPOLIS
  Cab Fares, Question, Mr. Bowring; Answer, Mr. Bruce *Feb* 21, 586; Question, Mr. Eykyn; Answer, Mr. Bruce *Mar* 6, 1396
  India Office Museum, Question, Colonel Sykes; Answer, Mr. Grant Duff *Mar* 14, 1980
  International Exhibition of 1871—*Expenses of the Police*, Question, Sir Robert Peel; Answer, Mr. Bruce *Feb* 23, 760—*Parliamentary Grant*, Question, Mr. Neville-Grenville; Answer, The Chancellor of the Exchequer *Mar* 6, 1383
  Local Government—Legislation, Question, Mr. Buxton; Answer, Mr. Bruce *Feb* 20, 490
  Metropolitan Board of Works—Loan Bills, Question, Mr. Locke; Answer, Mr. Bruce *Feb* 20, 492; *Feb* 24, 829
  Music Halls—Ash Wednesday and other Holidays, Question, Mr. Osborne; Answer, Mr. Bruce *Mar* 6, 1393
  Natural History Museum, South Kensington, Question, Mr. Cavendish Bentinck; Answer, Mr. Ayrton *Feb* 24, 832

  The Parks
    Albert Memorial and the Kensington Road, Question, Mr. Harvey Lewis; Answer, Mr. Ayrton *Feb* 23, 758
    Hyde Park, Carriage Drive in, Question, Sir Henry Hoare; Answer, Mr. Ayrton *Mar* 10, 1763
    Kensington Gardens—Albert Memorial and the Hall of Science, Question, Mr. Miller; Answer, Mr. Ayrton *Feb* 27, 937
    St. James's Park—Passage by East End of, Question, Viscount Royston; Answer, Mr. Ayrton *Feb* 24, 829

  Wellington Monument, St. Paul's Cathedral, Moved, "For all Further Correspondence relative to the Wellington Monument between Mr. Penrose and Mr. Stevens with any Department of Her Majesty's Government up to the present time" (*The Marquess of Lansdowne*) *Mar* 10, 1760; after short debate, Motion agreed to; Question, Mr. Heygate; Answer, Mr. Ayrton *Mar* 14, 1979

Metropolis Water Bill
  (*Mr. Shaw Lefevre, Mr. Secretary Bruce*)
c. Ordered; read 1°* *Feb* 16 [Bill 40]

Metropolitan Commons Supplemental Bill
  (*Mr. Shaw Lefevre, Mr. Secretary Bruce*)
c. Ordered; read 1°* *Mar* 2 [Bill 62]
  Read 2°* *Mar* 6

MILLER, Mr. J., *Edinburgh* (*City*)
  India—Civil Engineers, Res. 1350
  Metropolis—Albert Memorial, &c. 937
  Pope, The—Letter of Mr. Gladstone, Motion for Papers, 649
  Post Office—Posting of Newspapers, &c. in Wall and Pillar Letter Boxes, 1868
  Scotland—Training Schools, 751

MILLES, Hon. G. W., *Kent, East*
  Army—Yeomanry Cavalry, 935

Mines Regulation Bill
(*Mr. Secretary Bruce, Mr. Shaw Lefevre*)
c. Motion for Leave (*Mr. Bruce*) *Feb* 13, 193; Bill ordered, after short debate; read 1°*
Moved, "That the Bill be now read 2°" *Feb* 23, 808; after short debate, Bill read 2° [Bill 16]

MONK, Mr. C. J., *Gloucester*
Customs — Retirement and Compensation in the, 938
Ireland—Ribandism, 1869
Ireland—Qualification for High Sheriffs, 587; Motion for Papers, 658, 1550
Marriage, Laws of, 933
Marriage with a Deceased Wife's Sister, 2R. 284
Private Chapels, Comm. 2031

MONSELL, Right Hon. W. (Postmaster General), *Limerick Co.*
Ireland—Post Office Telegraph System Extension, 1668
Post Office—Questions, &c.
  Hebrides, Communication with the, 317
  Letters of Officers at Foreign Stations, 1869
  Patronage, 588
  Postal Transit Rates, 755
  Posting of Newspapers, &c. in Wall and Pillar Letter Boxes, 1868
  Staff of the, 1271
  Telegraph Guide, 1169
Post Office—Small Parcels, Res. 2013, 2022
Scotland—Mail Trains, 1382

MONTAGU, Right Hon. Lord R., *Huntingdonshire*
Education—Elementary Schools, 1167
Education—New Code, Res. 1813
Education (Scotland), Leave, 217
Vaccination Act, Motion for a Committee, 228

MONTGOMERY, Sir G. G., *Peeblesshire*
Game Laws (Scotland) Amendment, 2R. 1586

MORGAN, Mr. G. Osborne, *Denbighshire*
Burials, 2R. 1116
Parliament—Business of the House, Motion for a Committee, 191
University Tests, Comm. *cl.* 3, 511

MORLEY, Mr. S., *Bristol*
Burials, 2R. 1148
Marriage with a Deceased Wife's Sister, 2R. 289
Parliament—Address in Answer to the Speech, 63

MOUNT EDGCUMBE, Earl of
Army—Royal Cornwall Rangers, Address for Correspondence, 1487, 1492

MOWBRAY, Right Hon. J. R., *Oxford University*
Durham Church Leaseholds, Res. 1511

MUNDELLA, Mr. A. J., *Sheffield*
Mines Regulation, 2R. 811
Official Salaries, Motion for a Committee, 1994, 1997
Patent Laws, Motion for a Committee, 1521
Trades Unions, Leave, 272; 2R. 2045
Truck Commission, 320

MUNTZ, Mr. P. H., *Birmingham*
Anglo-American Commission, 583
Army Regulation, 2R. 1441
Charities, &c. Exemption, Leave, 274
France and Germany—Terms of Peace, Res. 434

National Debt
Moved, "That, in the opinion of this House, it is expedient to make early provision in the Estimates for reducing the debt not less than £10,000,000 a-year" (*Mr. Candlish*) *Mar* 7, 1534; after debate, Motion withdrawn

National Guarantees — Guarantees of Foreign States and Territories
Moved, "That the collection of Guarantees published in 1859 should be reprinted, with the addition of any that have been contracted since that time" (*The Marquess of Salisbury*) *Mar* 6, 1360; after debate, Motion agreed to (No. 33)

NAVY
Admiralty, The Board of,—See that title

Dockyards, The
  Chatham Dockyard, Works at, Question, Mr. Cawley; Answer, Mr. Baxter *Mar* 6, 1384
  Deptford Dockyard—Sale of, Question, Mr. Cubitt; Answer, Mr. Baxter *Feb* 23, 754; Question, Sir Henry Selwin-Ibbetson; Answer, Mr. Baxter *Feb* 27, 936

H.M.S. "Megæra," Question, Mr. Kavanagh; Answer, Mr. Baxter *Mar* 6, 1391; Question, Mr. Kavanagh; Answer, Mr. Goschen *Mar* 10, 1773
Midshipmen—Private Allowance to, Question, Lord George Hamilton; Answer, Mr. Baxter *Feb* 17, 380
Naval Prize Money—Scale of Distribution, Question, Mr. Henry Samuelson; Answer, Mr. Baxter *Feb* 14, 251
Naval Reserve (*Second Class*), Question, Admiral Erskine; Answer, Mr. Baxter *Mar* 6, 1384
Navy Estimates—Absence of the First Lord, Question, Mr. Corry; Answer, Mr. Goschen *Mar* 9, 1671
Robinson, Sir Spencer, Case of, Observations, Questions, Sir John Hay, Mr. Kinnaird; Answers, Mr. Gladstone, Mr. Baxter *Feb* 27, 945
Ships of War—Committee on Designs—The "Captain," Question, Sir John Hay; Answer, Mr. Baxter *Feb* 13, 167; *Feb* 14, 252; Question, Mr. Corry; Answer, Mr. Baxter *Feb* 16, 320

Nelson, Earl
Benefices Resignation, Comm. *cl.* 3, 1973
Education—New Code, Res. 1845
Prayer Book (Tables of Lessons), Comm. 1969

Neville-Grenville, Mr. R., *Somersetshire, Mid.*
International Exhibition of 1871, 1383

Newdegate, Mr. C. N., *Warwickshire, N.*
Burials, 2R. 1150
Ecclesiastical Titles Act Repeal, Leave, 273; *2R. 788; Motion for a Select Committee, Amendt. 1355
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, Amendt. 1750
Parliament—Address in Answer to the Speech, 114
Parliament—Business of the House, Motion for a Committee, 185
Pope, The—Letter of Mr. Gladstone, Motion for Papers, 652, 654, 658
University Tests, Comm. 500; *cl.* 3, 528

New Peer
Feb 9, 1871—William Gordon Cornwallis Eliot, esquire, created Baron Eliot

Sat First
Feb 9, 1871—The Marquess of Hertford, after the death of his Cousin
The Marquess of Cholmondeley, after the death of his Brother
The Lord Gwydir, after the death of his Uncle
The Lord Brodrick, after the death of his Father
Feb 14—The Lord Loftus (The Marquess of Ely), after the death of his Father
Feb 17—The Marquess of Bute, after the death of his Father
Mar 7—The Lord Kenlis (the Marquess of Headfort), after the death of his Father

New Writs Issued
During Recess
For Surrey (Western Division), *v.* John Ivatt Briscoe, esquire, deceased
For Shrewsbury, *v.* William James Clement, esquire, deceased
For Surrey (Middle Division), *v.* Hon. William Brodrick, now Viscount Middleton
For Colchester, *v.* John Gurdon Rebow, esquire, deceased
For Newport (Isle of Wight), *v.* Charles Wykeham Martin, esquire, deceased
For Meath County, *v.* Matthew Elias Corbally, esquire, deceased
For Durham City, *v.* John Robert Davison, esquire, Judge Advocate
For Newry, *v.* William Kirk, esquire, deceased
For Limerick County, *v.* Right Hon. William Monsell, Postmaster General
For Norfolk (Western Division), *v.* Hon. Thomas De Grey, now Lord Walsingham

[*cont.*

New Writs Issued—cont.
Feb 9, 1871—*For* Galway County, *v.* Hubert De Burgh Canning, commonly called Viscount Burke, Chiltern Hundreds
For York City, *v.* Joshua Proctor Brown Westhead, esquire, Manor of Northstead
For Ripon City, *v.* John Hay, commonly called Lord John Hay, Chiltern Hundreds
Feb 10—*For* Westmoreland County, *v.* Thomas Taylour, commonly called Earl of Bective, now Marquess of Headfort
Feb 13—*For* Norwich, *v.* Jacob Henry Tillett, esquire, void Election
Feb 21—*For* Staleybridge, *v.* James Sidebottom, esquire, deceased
Feb 22—*For* Hereford City, *v.* Colonel Edward Clive, Chiltern Hundreds
Feb 24—*For* Monmouth County, *v.* Colonel Poulett Somerset, C.B., Chiltern Hundreds
Mar 8—*For* Halifax, *v.* Right Hon. James Stansfeld, Commissioner of the Poor Laws

New Members Sworn
Feb 9, 1871—Right Hon. William Monsell, *Limerick County*
Charles Cavendish Clifford, esquire, *Newport* (*Isle of Wight*)
Sir Dominic D. Corrigan, baronet, *Dublin City*
Lee Steere, esquire, *Surrey* (Western Division)
Viscount Newry, *Newry*
Douglas Straight, esquire, *Shrewsbury*
Sir Richard Baggallay, *Surrey* (Middle Division)
John Robert Davison, esquire, *Durham City*
Alexander Learmonth, esquire, *Colchester*
George William Pierrepoint Bentinck, esquire, *Norfolk* (Western Division)
Sir Robert Collier, *Plymouth*
Feb 16—George Leeman, esquire, *York City*
Sir Henry Knight Storks, *Ripon City*
Feb 23—Jeremiah James Colman, esquire, *Norwich City*
Feb 24—Mitchell Henry, esquire, *Galway County*
Mar 2—Nathaniel Buckley, esquire, *Staleybridge*
Major George Arbuthnot, *Hereford City*
Mar 3—Earl of Bective, *Westmoreland*
Mar 6—Lord Henry Richard Charles Somerset, *Monmouth County*
Mar 8—John Martin, esquire, *Meath*
Mar 14—Right Hon. James Stansfeld, *Halifax*

Nicol, Mr. J. C. Dyce, *Kincardineshire*
Game Laws (Scotland) Amendment, 2R. 1587

North, Colonel J. S., *Oxfordshire*
Army—Breech-loaders, 1678
Army Administration, Res. 626

Northbrook, Lord (Under Secretary of State for War)
Army—Royal Cornwall Rangers, Address for Correspondence, 1487, 1488
Defence Commission, Address for Returns, 707, 710, 712, 715, 716, 718, 719, 723, 731, 732, 733, 736

Northumbeland, Duke of
Defence Commission, Address for Returns, 715

Norwich Writ
Moved, " That Mr. Speaker do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Citizen to serve in this present Parliament for the City of Norwich, in the room of Jacob Henry Tillett, esquire, whose Election has been determined to be void " (*Mr. Glyn*) *Feb* 13, 234 ; after short debate, Motion agreed to

Norwood, Mr. C. M., *Kingston-upon-Hull*
Merchant Shipping Survey, 2R. 682

O'Brien, Sir P., *King's Co.*
Army Administration, Res. 635
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1220
Parliament—Business of the House, Comm. 1111

O'Conor Don, The, *Roscommon Co.*
Ireland—Grand Jury Laws, 377

Official Salaries
Moved, " That a Select Committee be appointed to inquire into the Salaries and Emoluments of Offices held during the pleasure of the Crown by Members of either House of Parliament voted in the annual Estimates " (*Mr. Lambert*) *Mar* 14, 1985 ; after debate, Question put, and negatived

O'Hagan, Lord
Fenian Prisoners, Release of, Address for Papers, 1651, 1653

Oranmore and Browne, Lord
Princess Louise—The Queen's Message, 156
Rome—Occupation of, by the Sovereign Pontiff, Address for Papers, 562

O'Reilly, Mr. M. W., *Longford Co.*
Army Administration, Res. 629
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1205
Italy—Papal States, 1386

Osborne, Mr. R. B., *Waterford City*
Army—Bronze Field Guns, 1165
Army Administration, Res. 637
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1226, 1232
Music Halls, 1393

Otway, Mr. A. J., *Chatham*
France and Germany—Entry of German Troops into Paris, 941
Offer of Mediation, 1769, 1770

Outlawries Bill
c. Read 1° * *Feb* 9

Overstone, Lord
Metropolis—Wellington Monument, St. Paul's Cathedral, 1761

Pakington, Right Hon. Sir J. S., *Droitwich*
Army Estimates, 170, 171
Land Forces, 331, 358
Organization, 496
Army Regulation, 2R. Motion for Adjournment, 1748, 1877, 1892
Local Taxation, Res. 1100
Merchant Shipping Survey, 2R. 690
Pope, The—Letter of Mr. Gladstone, Motion for Papers, 656

Palk, Sir L., *Devonshire, S.*
Parliament—Address in Answer to the Speech, Report, 132

Palmer, Mr. J. Hinde, *Lincoln City*
Marriage with a Deceased Wife's Sister, 2R. 292
Patent Laws—Motion for a Committee, 1530, 1532
Patent Museum, 168

Parish Churches Bill
(*Mr. West, Sir Percy Herbert, Mr. Hughes*)
c. Ordered ; read 1° * *Feb* 22 [Bill 53]

Parker, Mr. C. S., *Perthshire*
Game Laws (Scotland) Amendment, 2R. 1571

Parliament
LORDS—
Meeting of the Parliament *Feb* 9, 1
The Session of Parliament opened by THE QUEEN in Person
The Lord Chancellor, taking directions from Her Majesty, delivered
Her Majesty's Most Gracious Speech *February* 9, 2
An Address to Her Majesty thereon moved by The Marquess of Westminster (the Motion being seconded by The Earl of Rosebery), and, after long debate, agreed to, *Nemine Dissentiente Feb* 9, 10
Her Majesty's Answer to the Address reported *Feb* 13, 154

Roll of the Lords delivered, and ordered to lie on the Table *Feb* 9, 9
The Lord Chancellor acquainted the House, That the Clerk of the Parliaments had prepared the Roll of the Lords and laid it on the Table: The same was ordered to be printed (No. 6) *Feb* 13

[*cont.*

Parliament—Lords—*cont.*

Chairman of Committees—The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Feb* 9

Moved, That the Viscount Eversley be appointed to take the Chair in the Committees of the Whole House in the absence of the Lord Redesdale from illness (*Earl Granville*) *Feb* 10, 118; Motion agreed to

Ordered that the Viscount Eversley do also take the Chair in all Committees upon Private Bills and other matters in the absence of the Lord Redesdale from illness, unless where it shall have been otherwise directed by this House

Committee for Privileges—appointed *Feb* 9

Sub-Committee for the Journals — appointed *Feb* 9

Appeal Committee—appointed *Feb* 9

Office of the Clerk of the Parliaments and Office of the Gentleman Usher of the Black Rod—Select Committee appointed and nominated *Feb* 24, 828

Private Bills

Orders respecting Petitions Feb 21, 557

Opposed Private Bills, Committee appointed; List of the Committee *Feb* 27, 932

COMMONS—

Meeting of the Parliament *Feb* 9

The Queen's Speech reported; an humble Address thereon moved by Mr. J. G. C. Hamilton (the Motion being seconded by Mr. Morley) *Feb* 9, 53; after long debate, Motion agreed to; and a Committee appointed to draw up the said Address

Report of Address brought up, and, after short debate, agreed to; to be presented by Privy Councillors *Feb* 10, 125

Her Majesty's Answer to the Address reported *Feb* 13, 172

Kitchen and Refreshment Rooms (House of Commons)—Standing Committee nominated *Feb* 10, 154

Printing — Select Committee appointed and nominated *Feb* 13, 237

Public Petitions—Select Committee appointed and nominated; List of the Committee *Feb* 16, 375

Selection—Committee of Selection nominated *Feb* 14, 279

Public Accounts—Committee nominated; List of the Committee *Feb* 21, 661

Business of the House

Moved, "That a Select Committee be appointed to consider the best means of promoting the Despatch of Public Business in this House" (*Mr. Gladstone*) *Feb* 13, 182

Amendt. to leave out all words after the first word "That" and add "in the opinion of this House, it is not expedient to restrict further the privileges afforded to private Members by the present arrangements for the Business of the House" (*Mr. Cavendish Bentinck*); Question proposed, "That the words, &c.;" after short debate, Amendt. withdrawn; main Question put, and agreed to

[*cont.*

Parliament—Commons—*cont.*

Question, Mr. J. Lowther; Answer, Mr. Gladstone *Feb* 27, 946

Moved, "That the Select Committee on the Business of the House do consist of Twenty-one Members" (*Mr. Gladstone*) *Feb* 28, 1110; Moved, "That the Debate be now adjourned" (*Mr. J. Lowther*) put, and negatived; original Question put, and agreed to; after short debate, Committee nominated; List of the Committee, 1112

Moved, "That the Select Committee on the Business of the House do consist of Twenty-three Members; that Mr. Collins and Mr. White be added to the Committee" (*Mr. J. Lowther*) *Mar* 3, 1359; Motion agreed to

Controverted Elections, Mr. Speaker informed the House, that he had received from the Judges selected, pursuant to the Parliamentary Elections Act, 1868, for the trial of Election Petitions, Certificates and Reports relating to the Elections for the Borough of Brecon; for the Borough of Shrewsbury; for the City of Norwich. And the same were severally read *Feb* 9, 116

Palace of Westminster—Decay of the Stone Work, Questions, Colonel Wilson-Patten, Mr. W. M. Torrens; Answers, Mr. Ayrton *Feb* 28, 1030

Sir Denis Le Marchant, Clerk of this House—Vote of Thanks, Moved, "A Vote of Thanks to Sir Denis Le Marchant, baronet, upon his resignation of the office of Clerk of the House" (*Mr. Gladstone*) *Feb* 13, 232; after short debate, Motion agreed to

Resolved, Nemine Contradicente, That Mr. Speaker be requested to acquaint Sir Denis Le Marchant, baronet, that this House desires to express its sense of the manner in which he has uniformly discharged the duties of his important office during his long attendance in the service of this House

Standing Orders, Select Committee on Standing Orders nominated *Feb* 14, 279

Private Bills, Standing Order Committee appointed; List of the Committee *Feb* 24, 828

Privileges, Ordered, That a Committee of Privileges be appointed *Feb* 9

Privilege—Power to Examine Witnesses on Oath, Question, Mr. W. M. Torrens; Answer, Mr. Gladstone *Feb* 23, 759

The Vacant Seats, Questions, Mr. Heron, Mr. W. Johnston; Answers, The Marquess of Hartington *Feb* 27, 939

Parochial Councils Bill

(*Viscount Sandon, Mr. Cowper-Temple*)

c. Considered in Committee; Bill ordered; read 1°* *Feb* 10 [Bill 10]

Patent Laws

Moved, "That a Select Committee be appointed, to inquire into the Law and practice and the effect of grants of Letters Patent for Inventions" (*Mr. Samuelson*) *Mar* 7; after debate, Motion agreed to; List of the Committee, 1534

Patent Museum
Question, Mr. Hinde Palmer; Answer, Mr. Ayrton *Feb* 13, 168

Patents for Inventions Bill (*Mr. Hinde Palmer, Mr. Mundella, Mr. Thomas Hughes*)
c. Ordered; read 1° * *Mar* 7 [Bill 65]

PATTEN, Right Hon. Colonel J. W., *Lancashire, N.*
Army—Small Pox in the Guards, 1504
Education, Compulsory, 252
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, Motion for Adjournment, 1026, 1170, 1187
Le Marchant, Sir D., Vote of Thanks, 233
Palace of Westminster—Decay of Stone Work, 1030, 1031

Pauper Inmates Discharge and Regulation Bill [H.L.] (*The Earl of Kimberley*)
l. Presented; read 1ª * *Feb* 17 (No. 16)
Moved, "That the Bill be now read 2ª" *Feb* 27, 920; after short debate, Bill read 2ª
Committee; Report *Mar* 2, 1158
Read 3ª * *Mar* 7
c. Read 1° * *Mar* 10 [Bill 70]

Pawnbrokers
Select Committee appointed, "to inquire into the state of the Law affecting the Pawnbroking Trades, with a view to its consolidation and Amendment" *Feb* 21; List of the Committee, 661

PEASE, Mr. J. W., *Durham, S.*
Durham Church Leaseholds, Res. 1509

Pedlars' Certificates
Question, Mr. C. S. Read; Answer, Mr. Bruce *Feb* 28, 1036

PEEK, Mr. H. W., *Surrey, Mid.*
Poor Law (Metropolis)—Small Pox Hospitals, 1872

PEEL, Right Hon. Sir R., *Tamworth*
Duchy of Lancaster—Explanation, 498
France—Military Attaché at Paris, 1504
France and Germany—Siege of Paris—Absence of the English Consul, 585, 586, 1296
France and Germany—Terms of Peace, Res. 396
India—Finances, Motion for a Committee, 776
International Exhibition—Expenses of Police, 760
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1198, 1233
Military Attachés, Pay and Promotion of, 1773
Princess Louise—Marriage Portion, 365

PEEL, Mr. A. W. (Secretary to the Board of Trade), *Warwick Bo.*
Merchant Shipping Survey, 2R. 691

PELL, Mr. A., *Leicestershire, S.*
Local Taxation, Res. 1061

PERCY, Earl, *Northumberland, N.*
Burials, 2R. 1149

Permissive Prohibitory Liquor Bill (*Sir Wilfrid Lawson, Sir Thomas Bazley, Lord Claud Hamilton, Sir John Hanmer, Mr. Miller, Mr. Dalway, Mr. Downing*)
c. Considered in Committee; Bill ordered; read 1° * *Feb* 13 [Bill 11]

Petit Juries (Ireland) Bill (*Mr. O'Reilly, Sir John Gray, Mr. Murphy*)
c. Ordered; read 1° * *Mar* 2 [Bill 61]

PIM, Mr. J., *Dublin City*
Ballot, The, 1669
Transfer of Land, 377

PLATT, Mr. J., *Oldham*
Patent Laws, Motion for a Committee, 1532

PLAYFAIR, Dr. Lyon, *Edinburgh and St. Andrew's Universities*
Education—New Code, Res. 1803
Education (Scotland), Leave, 214, 494; 2R. 961
India—Civil Engineers, Res. 1344
University Tests, Comm. *cl.* 3, 503
Vaccination Act, Motion for a Committee, 230

PLIMSOLL, Mr. S., *Derby Bo.*
"Epaminondas," Case of the, 1981
Merchant Shipping Survey, 2R. 662, 671, 691

POOR LAW
Law of Rating, Select Committee appointed, "to inquire into the operation of the Law relating to the area of Rating in Ireland, and to consider whether such Law may be beneficially amended" (*The Marquess of Hartington*) *Feb* 21, 662
Rating of Mines, Question, Mr. Percy Wyndham; Answer, Mr. Goschen *Feb* 21, 583
Small Pox at Stoke Newington, Question, Sir George Jenkinson; Answer, Mr. Goschen *Feb* 28, 1031
Small Pox Hospitals, Questions, Mr. Gathorne Hardy, Mr. Peek; Answers, Mr. Goschen, Mr. Hibbert *Mar* 13, 1872
Small Pox (*Metropolis*), Question, Mr. Holms; Answer, Mr. Goschen *Feb* 16, 322

Poor Law (Loans) Bill (*Mr. Russell Gurney, Mr. Cowper-Temple, Mr. Candlish*)
c. Ordered; read 1° * *Mar* 7 [Bill 68]
Read 2° * *Mar* 14

PORTMAN, Lord
Table of Lessons—Ritual Commission, 1267

Post Office
Letters of Officers at Foreign Stations, Question, Sir Hervey Bruce; Answer, Mr. Monsell *Mar* 13, 1869
Mail Trains—Penalties for Unpunctuality, Question, Mr. Carnegie; Answer, Mr. Monsell *Mar* 6, 1382
Newspapers, &c.—Wall and Pillar Letter-Boxes, Question, Mr. Miller; Answer, Mr. Monsell *Mar* 13, 1868
Pensioners and Army Reserve, Employment of, Question, Mr. Hanbury-Tracy; Answer, Mr. Monsell *Feb* 21, 588
Postal Communication between the Hebrides and the Mainland of Scotland, Question, Mr. Cameron; Answer, Mr. Monsell *Feb* 16, 316
Postal Transit Rates, Question, Mr. Magniac; Answer, Mr. Monsell *Feb* 23, 755
Staff of the Post Office, Question, Mr. Haviland-Burke; Answer, Mr. Monsell *Mar* 3, 1271
Telegraph Guide, Question, Mr. Brogden; Answer, Mr. Monsell *Mar* 2, 1169
The New Post Office, Question, Mr. Eykyn; Answer, Mr. Ayrton *Feb* 16, 324

Post Office—(Small Parcels)
Moved, "That it is desirable to restore and extend those facilities for the transmission of Small Parcels by Post which the public enjoyed prior to the 1st day of October 1870" (*Mr. Graves*) *Mar* 14, 2003; after debate, Motion withdrawn

Powell, Mr. W., *Malmesbury*
Abyssinia—Envoy of Prince Kassa, 1774

Prayer Book (Tables of Lessons) Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1ª * *Mar* 3 (No. 29)
Moved, "That the Bill be now read 2ª" *Mar* 13, 1853; after debate, Bill read 2ª
Committee *Mar* 14, 1969
[See title—*Church of England*]

Primitive Wesleyan Methodist Society of Ireland Regulation Bill
(*The Lord Cairns*)
l. Presented; read 1ª *Mar* 14, 1968 (No. 42)

Princess Louise Annuity Bill
(*Mr. Dodson, Mr. Gladstone, Mr. Secretary Bruce*)
c. Considered in Committee * *Feb* 13
Ordered; read 1° * *Feb* 14 [Bill 24]
Read 2° * *Feb* 16
Committee *; Report *Feb* 17
Read 3° * *Feb* 20
l. Read 1ª * (*The Earl Granville*) *Feb* 20
Read 2ª * *Feb* 21 (No. 20)
Committee *; Report *Feb* 23
Read 3ª * *Feb* 24
Royal Assent *Feb* 28 [34 *Vict.* c. 1]

Prison Ministers—Legislation
Question, Mr. Maguire; Answer, Mr. Bruce *Feb* 20, 494

Prison Ministers Bill [H.L.]
(*The Earl of Morley*)
l. Presented; read 1ª * *Mar* 10 (No. 37)

Private Chapels Bill
(*Mr. Salt, Mr. Dimsdale, Mr. Morrison*)
c. Ordered; read 1° * *Feb* 15 [Bill 37]
Read 2° * *Mar* 1
Committee; Report, after short debate *Mar* 14, 2030

Privy Council, Judicial Committee of the
Question, Mr. Watkin Williams; Answer, Mr. Bruce *Mar* 10, 1767

Provisional Order Bills (Committees) Bill
(*Mr. Dodson, Colonel Wilson Patten*)
c. Ordered; read 1° * *Feb* 13 [Bill 12]
Read 2° * *Feb* 16
Committee *; Report *Feb* 17
Read 3° * *Feb* 20
l. Read 1ª * (*The Viscount Eversley*) *Feb* 21
Read 2ª * *Feb* 23 (No. 25)
Committee *; Report *Feb* 24
Read 3ª * *Feb* 27
Royal Assent *Feb* 28 [34 *Vict.* c. 3]

Prussia and Russia, Alleged Secret Treaty
Question, Sir Charles W. Dilke; Answer, Viscount Enfield *Feb* 17, 379; Question, Mr. Disraeli; Answer, Mr. Gladstone *Mar* 7, 1501; Question, The Earl of Carnarvon; Answer, Earl Granville *Mar* 9, 1603

Public Offices, The New
Questions, Lord John Manners; Answer, Mr. Ayrton *Mar* 6, 1386

Public Parks, &c. (Land) Bill
(*Sir William Hutt, Sir Stafford Northcote*)
c. Motion for Leave (*Sir William Hutt*) *Feb* 14, 254; Bill ordered; read 1° * [Bill 25]
Read 2° * *Feb* 22

Public Prosecutors Bill
(*Mr. Russell Gurney, Mr. Eykyn, Mr. Vernon Harcourt, Mr. Rathbone*)
c. Ordered; read 1° * *Feb* 15 [Bill 35]

Raikes, Mr. H. C., *Chester*
Army Regulation, 832
Royal Flintshire Rifle Militia, 323
Ireland—National Schools, 746, 747

Railway Accidents Compensation
Question, Mr. Headlam; Answer, Mr. Chichester Fortescue *Feb* 13, 161

Railway Companies Bill
(*Sir Henry Selwin-Ibbetson, Mr. Hinde Palmer, Mr. Rowland Winn*)
c. Ordered; read 1° * *Feb* 10 [Bill 5]

Rathbone, Mr. W., *Liverpool*
Anglo-American Commission, 582
Local Taxation, Res. 1103
Merchant Shipping Survey, 2R. 677
Official Salaries, Motion for a Committee, 1992
Parliament—Address in Answer to the Speech, Report, 133
Parliament—Business of the House, Motion for a Committee, 191

Read, Mr. Clare S., *Norfolk, S.*
Education of the Blind, &c. 2R. 1598
Local Taxation, Res. 1075
Norwich Writ, 235
Pedlars' Certificates, 1036

Real Estate Intestacy—Legislation
Question, Mr. Locke King; Answer, Mr. Gladstone *Feb* 16, 322

Reed, Mr. C., *Hackney*
Education—New Code—Music, 1673

Registration of Deeds, Wills, &c. (Middlesex) Bill (*Mr. George Gregory, Mr. Cubitt, Mr. Hinde Palmer, Mr. Goldney*)
c. Ordered; read 1°* *Feb* 15 [Bill 36]
Moved, "That the Bill be now read 2°" *Mar* 1, 1154; after short debate, Bill read 2°

Registration of Parliamentary Voters Bill (*Mr. Henry Robert Brand, Sir Charles Dilke, Mr. Andrew Johnston, Mr. Collins, Mr. Rathbone*)
c. Ordered; read 1°* *Feb* 13 [Bill 19]

Registration of Voters (No. 2) Bill (*Sir Charles Dilke, Mr. Collins, Mr. Whitbread, Mr. Rathbone*)
c. Ordered; read 1°* *Feb* 13 [Bill 22]

Richard, Mr. H., *Merthyr Tydvil*
Burials, 2R. 1128
Education—New Code, Res. 1812

Richmond, Duke of
Army—Royal Cornwall Rangers, Address for Correspondence, 1496
Bankruptcy Act—Peers, 117
Benefices Resignation, 1R. 160; Comm. *cl.* 3, 1974
Chairman of Committees, 51
Defence Commission, Address for Returns, 710, 732, 733, 736
Education—New Code, Res. 1847, 1851
Fenian Prisoners, Release of, Address for Papers, 1658
Parliament—Address in Answer to the Speech, 28, 35, 48
Pauper Inmates Discharge, &c. 2R. 925; Comm. *cl.* 5, 1159; *cl.* 9, 1160
Presbyterian Church of Ireland—Primitive Wesleyan Methodist Society, 2R. 1968
Princess Louise—The Queen's Message, 155
Treaty of Paris—Neutrality of the Black Sea —The Conference, 1844

Rome—The Pope—Letter of Mr. Gladstone
Motion for Address for "Copies of the Letter from the Right honourable the First Lord of the Treasury to the honourable Member for Queen's County, dated the 30th day of November 1870, in which reference is made to 'the Sovereign Pontiff;' and it is declared that 'Her Majesty's Government consider all that relates to the adequate support of the dignity of the Pope, and to his personal freedom and independence in the discharge of his spiritual functions to be legitimate matter for their notice:' and other Papers" (*Mr. William Johnston*) *Feb* 21, 646; after debate, Motion withdrawn
Moved, "That there be laid before this House, Copy of the Letter, &c." (*Mr. William Johnston*); after further short debate, Question put: A. 90, N. 153; M. 63
[See title *Italy*]

Romilly, Lord
Benefices Resignation, 1R. 160; 2R. Amendt. 483; Comm. Amendt. 1971
Ecclesiastical Dilapidations, 2R. 559

Rosebery, Earl of
Parliament—Address in Answer to the Speech, 22

Royston, Right Hon. Viscount, *Cambridgeshire*
France and Germany—Terms of Peace, Res. 416
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1213
Metropolis—St. James's Park, 829

Rylands, Mr. P., *Warrington*
Army—Pay and Promotion, 1771
Army Regulation, 2R. 1720
France and Germany—Departure of General Claremont from Paris, 1768
Siege of Paris, 1320
Germany—Diplomatic Missions in, 319
Parliament—Address in Answer to the Speech, Report, 144

Sackville, Mr. Sackville G. **Stopford**-, *Northamptonshire, N.*
Burials, 2R. 1125

Sale of Liquor on Sunday Bill (*Mr. Rylands, Mr. Candlish, Mr. Birley, Mr. Osborne Morgan*)
c. Ordered; read 1°* *Feb* 21 [Bill 48]

Salisbury, Marquess of
Benefices Resignation, 2R. 485; Comm. *cl.* 3, 1974
National Engagements and Armaments, Motion for Papers, 1360, 1366, 1369
Pauper Inmates Discharge, &c. 2R. 926; Comm. *cl.* 9, 1159
Prayer Book (Tables of Lessons), Comm. 1970
Treaty of Paris—Neutralization of the Black Sea, 249
Universities of Oxford, Cambridge, &c., Motion for a Committee, 158

Salmon Fisheries, Select Committee, 1869-70, *on*
Question, Mr. Dodds; Answer, Mr. Bruce *Feb* 23, 759

Salt, Mr. T., *Stafford*
Private Chapels, Comm. 2030

Samuda, Mr. J. D'A., *Tower Hamlets*
Patent Laws, Motion for a Committee, 1525

Samuelson, Mr. B., *Banbury*
Mines Regulation, 2R. 812
Patent Laws, Motion for a Committee, 1512, 1534
University Tests, Comm. *cl.* 3, 507

Samuelson, Mr. H. B., *Cheltenham*
Navy—Naval Prize Money, 251

Sandon, Viscount, *Liverpool*
Canada, Dominion of—British Columbia, 164
Ireland—Westmeath, &c. Unlawful Combinations, Motion for a Committee, 1021
Liverpool—Protection of, 323

Sanitary Commission—Local Government
Question, Sir Charles Adderley; Answer, Mr. Bruce *Feb* 13, 162

Sclater-Booth, Mr. G., *Hampshire, N.*
Army — Military Examinations — University Candidates, 336
Local Taxation, Res. 1066

Scotland
Firth of Forth, Defence of the, Question, Sir Robert Anstruther; Answer, Mr. Cardwell *Mar* 3, 1271
Game Laws—Government Legislation, Question, Mr. Fordyce; Answer, The Lord Advocate *Feb* 21, 585
Road Reform—Legislation, Question, Sir David Wedderburn; Answer, The Lord Advocate *Feb* 20, 491
Titles to Land and Heritable Rights—Legislation, Question, Mr. Gordon; Answer, The Lord Advocate *Feb* 20, 495

Scourfield, Mr. J. H., *Pembrokeshire, S.*
Burials, 2R. 1141
Elections (Parliamentary and Municipal), Leave, 554
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Universities of Oxford, Cambridge, and Durham, Moved, "That a Select Committee be appointed to inquire into the best mode of providing proper safeguards for the maintenance of religious instruction and worship and for the religious character of the education given in the said Universities and the Colleges and Halls thereof in any measure for enabling persons not now eligible to hold offices therein" (*The Marquess of Salisbury*) *Feb* 13, 158; after short debate, Motion agreed to; List of the Committee, 159

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(*Mr. Jacob Bright, Mr. Eastwick, Dr. Lyon Playfair*)
c. Ordered; read 1°* *Feb* 13 [Bill 13]

Workshop Regulation Act (1867) Amendment Bill (*Sir David Salomons, Sir Thomas Bazley, Mr. Russell Gurney, Mr. John Talbot*)
c. Ordered; read 1°* *Feb* 28 [Bill 58]
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ERRATA.

Page 1539, line 2 from bottom, *for* " But last year the Army cost £15,851,000," *read* " But next year the Army will cost," &c.

Page 1665, at end of Debate on " Convicts for Political Offences," insert Motion *agreed to.*

END OF VOLUME CCIV., AND FIRST VOLUME OF SESSION 1871.

LONDON: CORNELIUS BUCK, 23, PATERNOSTER ROW.

BIBL.

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